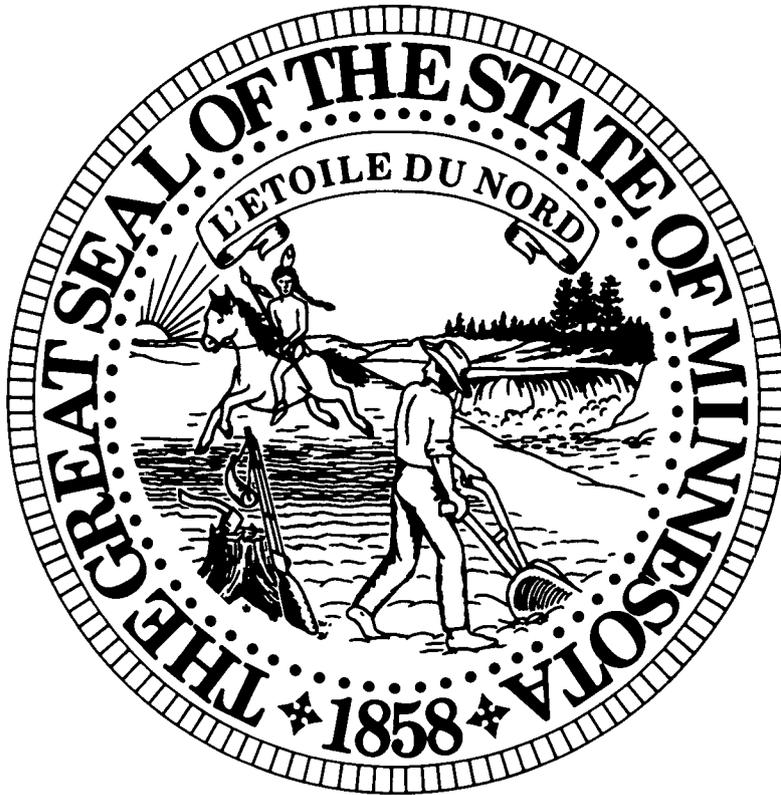


P182

The Minnesota  
**State  
Register**

Department of Administration—Print Communications Division



Rules edition  
Published every Monday  
(Tuesday if Monday is a holiday)

**Monday 20 May 1991**  
**Volume 15, Number 47**  
**Pages 2461-2516**

# State Register

## Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official notices, state and non-state contracts, contract awards, grants, a monthly calendar of cases to be heard by the state supreme court, and announcements.

A *Contracts Supplement* is published every Thursday and contains additional state contracts and advertised bids, and the most complete source of state contract awards available in one source.

### Printing Schedule and Submission Deadlines

Vol. 15 Issue Number	*Submission deadline for Adopted and Proposed Rules, Commissioners' Orders**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
47	Monday 6 May	Monday 13 May	Monday 20 May
48	Monday 13 May	Monday 20 May	Tuesday 28 May
49	Monday 20 May	Friday 24 May	Monday 3 June
50	Friday 24 May	Monday 3 June	Monday 10 June

\*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

\*\*Notices of public hearings on proposed rules and notices of intent to adopt rules without a public hearing are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the *State Register* editorial offices, 504 Rice Street, St. Paul, Minnesota 55103, (612) 296-4273.

The *State Register* is published every Monday (Tuesday when Monday is a holiday) by the State of Minnesota, Department of Administration, Print Communications Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to *Minnesota Statutes* § 14.46. A *State Register Contracts Supplement* is published every Thursday. The Monday edition is the vehicle for conveying all information about state agency rulemaking, including official notices; hearing notices; proposed, adopted and emergency rules. It also contains executive orders of the governor; commissioners' orders; state contracts and advertised bids; professional, technical and consulting contracts; non-state public contracts; state grants; decisions of the supreme court; a monthly calendar of scheduled cases before the supreme court; and other announcements. The Thursday edition contains additional state contracts and advertised bids, and the most complete listing of contract awards available in one source.

In accordance with expressed legislative intent that the *State Register* be self-supporting, the following subscription rates have been established: the Monday edition costs \$140.00 per year and includes an index issue published in August (single issues are available at the address listed above for \$3.50 per copy); the combined Monday and Thursday editions cost \$195.00 (subscriptions are not available for just the *Contracts Supplement*); trial subscriptions are available for \$60.00, include both the Monday and Thursday edition, last for 13 weeks, and may be converted to a full subscription anytime by making up the price difference. No refunds will be made in the event of subscription cancellation.

Both editions are delivered postpaid to points in the United States, second class postage paid for the Monday edition at St. Paul, MN, first class for the Thursday edition. Publication Number 326630 (ISSN 0146-7751).

Subscribers who do not receive a copy of an issue should notify the *State Register* circulation manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

Arne H. Carlson, Governor

Dana B. Badgerow, Commissioner  
Department of Administration

Stephen A. Ordahl, Director  
Print Communications Division  
Robin PanLener, Editor

Paul Hoffman, Assistant Editor  
Debbie George, Circulation Manager  
Bonita Karels, Staff Assistant

## FOR LEGISLATIVE NEWS

Publications containing news and information from the Minnesota Senate and House of Representatives are available free to concerned citizens and the news media. To be placed on the mailing list, write or call the offices listed below:

### SENATE

**Briefly-Preview**—Senate news and committee calendar; published weekly during legislative sessions.

**Perspectives**—Publication about the Senate.

**Session Review**—Summarizes actions of the Minnesota Senate.

Contact: Senate Public Information Office  
Room 231 State Capitol, St. Paul, MN 55155  
(612) 296-0504

### HOUSE

**Session Weekly**—House committees, committee assignments of individual representatives; news on committee meetings and action. House action and bill introductions

**This Week**—weekly interim bulletin of the House.

**Session Summary**—Summarizes all bills that both the Minnesota House of Representatives and Minnesota Senate passed during their regular and special sessions.

Contact: House Information Office  
Room 175 State Office Building, St. Paul, MN 55155  
(612) 296-2146

# Contents

---

## **Minnesota Rules: Amendments & Additions**

Issues 40-47 inclusive (issues #1-39 appeared in #39) . . . 2464

### **Proposed Rules**

#### **Animal Health Board**

Poultry . . . . . 2466

#### **Natural Resources Department**

Parks and recreation areas . . . . . 2472

#### **Public Safety Department**

Disposition of driver's license following non-alcohol-related vehicle offenses . . . . . 2474

#### **Revenue Department**

Florists and nurseries . . . . . 2484

#### **Technical Colleges Board**

Teacher licenses . . . . . 2487

### **Adopted Rules**

#### **Labor & Industry Department**

Power piping systems . . . . . 2492

#### **Natural Resources Department**

Waters, watercraft speed limit zones . . . . . 2492

### **Emergency Rules**

#### **Jobs & Training Department**

Vocational rehabilitation services . . . . . 2493

### **Official Notices**

#### **Administration Department**

Announcing the 1991 *Minnesota Rules* . . . . . 2496

#### **Ethical Practices Board**

Advisory opinion #109 regarding lobbyist disclosure . . . 2496

Request for advisory opinion regarding local officials . . . 2497

#### **Public Service Department**

Opinion sought on Minnesota's energy code . . . . . 2498

#### **Secretary of State**

Vacancies in multi-member agencies . . . . . 2498

#### **Teachers Retirement Association**

Meeting of the board of trustees . . . . . 2501

#### **Technical Colleges Board**

Opinion sought on rules for licensure of postsecondary technical education personnel . . . . . 2501

### **State Contracts & Advertised Bids**

#### **Administration Department**

**Materials Management Division:** Commodity contracts and requisitions open for bid . . . . . 2502

**Print Communications Division:** Typesetting, keylining, photo prep and seps, printing, binding, labeling and mailing services open for bid . . . . . 2503

### **Professional, Technical & Consulting Contracts**

#### **Agriculture Department**

Proposals sought to design, build and install a Minnesota State Fair exhibit . . . . . 2504

#### **Corrections Department**

Proposals sought for dental services at Oak Park Heights . 2506

Proposals sought to provide food services at Stillwater Correctional facility . . . . . 2506

#### **Labor & Industry Department**

Proposals sought for medical consultant . . . . . 2506

#### **Legislative Commission on Pensions and Retirement**

Proposals sought for actuarial consultant services . . . . . 2507

#### **Public Safety Department**

Proposals sought for motorcycle safety education campaign . . . . . 2507

#### **Public Service Department**

Proposals sought to determine the impact of an independent spent fuel storage installation . . . . . 2508

#### **Transportation Department**

Contracts available for maintenance of navigation systems . . . . . 2510

### **State Grants**

#### **Jobs & Training Department**

Funds available for extended employment programs . . . . 2511

**Announcements** . . . . . 2511

# Minnesota Rules: Amendments and Additions

## NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 75 state agencies have the authority to issue rules. Each agency is assigned specific *Minnesota Rule* chapter numbers. Every odd-numbered year the *Minnesota Rules* are published. This is a ten-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Proposed and adopted emergency rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

If an agency seeks outside opinion before issuing new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION in the *Official Notices* section of the *State Register*. When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-9747.

## Issues 40-47 inclusive (issues #1-39 appeared in #39)

### Abstracters' Board of Examiners

1005.0200; .0600; .0700; .0800 (proposed) ..... 2293

### Administration Department

1230.0100; .1400; .1500; .1600; .1700; .1800;  
.1810; .1820; .1830; .1850; .1860; .1900  
(emergency extended) ..... 2226  
1230.1700 s.2,3; .1900 s.3,4,6; .2000; .2200;  
.2300 (repealed emergency extended) ..... 2226  
1230.0100; .0150; .0300; .0400; .0500; .0600; .0700; .0900;  
.1000; .1100; .1150; .1175; .1200; .1400; .1450; .1600;  
.1700; .1805; .1810; .1820; .1830; .1850; .1860; .1900;  
.1910 (proposed) ..... 2165 and 2226  
1230.0200; .0400 s.1,3; .0700 s.2; .1500; .1700 s.2,3;  
.1800; .1900 s.2,3,4,6; .2000; .2100; .2200; .2300  
(proposed repealer) ..... 2165 and 2226

### Animal Health Board

1710.1300-.1530 (proposed) ..... 2466  
1710.0010-.1290 (proposed repealer) ..... 2466

### Arts Board

1900.1400; .1700 (adopted) ..... 2404

### Assessors Board

1950.1020; .1030; .1050; .1060; .1070; .1080; .1090  
(proposed) ..... 2262

### Chiropractic Examiners Board

2500.0100; .0500; .1110; .1200; .2000; .2020; .2030;  
.2040; .2050; .2060; .2070; .4010 (adopted) ..... 2265  
2500.2500-.2550 (proposed) ..... 2217

### Commerce Department

2890.0010; .0060; .0065; .0070; .0090; .1110 (adopted) ..... 2266

### Jobs & Training Department

3335.0010-.0030 (emergency proposed) ..... 2493

### Education Department

3515.6005; 3700.0305; .0310; .0315; .0325; .0330; .0335;  
.0340; .0350; .0370; .0375; .0377; .0381 (proposed) ..... 2487  
3515.5050; .6000; 3700.0320; .0381 (proposed repealer) ..... 2487

3525.0200; .0550; .1100; .1150; .1310; .1320; .1325;  
.1327; .1329; .1331; .1333; .1335; .1337; .1339; .1341;  
.1343; .1345; .1347; .1349; .1500; .2325; .2335; .2340;  
.2345; .2350; .2380; .2750; .2900; .2925; .3000; .3100;  
.3300; .3500; .3800; .4100; .4200 (proposed) ..... 2374  
3525.0200 s.23; .2370; .2380 s.2; .2900 s.2,4, and 5  
(proposed repealer) ..... 2374  
3530.6300; .6400 (proposed repealer) ..... 2219

### Technical Colleges Board

3700.0295 (adopted) ..... 2308  
3700.0440 (adopted) ..... 2308

### Electricity Board

3800.3590 (adopted—effective date: July 1, 1991) ..... 2266

### Health Department

4685.2800 (adopted) ..... 2430  
4700.1900; .2000; .2100; .2300; .2410; .2420; .2500  
(proposed) ..... 2183  
4700.2300 s.2; .2400; .2550 (proposed repealer) ..... 2183  
4730.1691 s.1-6 (correction to proposed) ..... 2349  
4740.2040 (adopted) ..... 2308

### Higher Education Coordinating Board

4830.1552; .1553; .1554 (proposed) ..... 2220  
4830.1554 s.1,2,3 (proposed repealer) ..... 2220  
4830.8000; .8010; .8020; .8030; .8040; .8510; .8520;  
.8530; .8540; .8550; .8560; .8570; .8580 (adopted) ..... 2266

### Labor & Industry Department

5230.0100 (adopted) ..... 2492

### Mediation Services Bureau

5520.0120 s.8; .0250 s.3; .0400; .0500 s.7 (repealed) ..... 2267

### Natural Resources Department

6100.0700; .1610 (proposed) ..... 2472  
6105.0330 (adopted) ..... 2492  
6110.0100; .0300; .1000; .1200; .1400; .1500; .1800;  
.1900; .2100 (adopted) ..... 2430  
6110.1500 s.6; .1600 s.3 (repealed) ..... 2430

## Podiatric Medicine Board

6900.0010; .0020; .0160; .0200; .0210; .0250;  
.0300; .0500 (proposed) ..... 2400

## Pollution Control Agency

7035.2685 (adopted) ..... 2308  
7076.0110; .0120; .0130; .0140; .0150; .0160; .0170;  
.0180; .0190; .0200; .0210; .0220; .0230; .0240; .0280  
(proposed) ..... 2333  
7076.0110 s.5,11,16,17; .0230 s.3; 0240 s.5  
(proposed repealer) ..... 2333

## Psychology Board

7200.6150 (adopted) ..... 2430

## Public Safety Department

7409.0100; .0200; .0300; .0400; .0500; .0600 (adopted) ..... 2406  
7409.0100-.4600 (proposed) .....2474  
7503.0100; .0300; .0800; .0900; .1000; .1200; .1300;  
.1600; .1700; .1750; .1800; .2200; .2300; .2400;  
.2500; .2600; .2700; .2800 (adopted) ..... 2406  
7560.0100-.0800 (proposed) ..... 2344

## Public Service Department

7606.0040 (adopted) ..... 2223  
7670.0100; .0125; .0130; .0260; .0325; .0400; .0450;  
.0470; .0480; .0500; .0510; .0550; .0610; .0660; .0670;  
.0710; .0800; .0850; .1000 (adopted) ..... 2407

## Minnesota Racing Commission

7870.0600-.0870 (proposed) ..... 2296  
7891.0110 (proposed) ..... 2296  
7870.0400; 7871.0010; 7872.0100; 7873.0100; 7873.0110;  
7873.0185; .0186; .0190; .0192; .0195; .0198;  
7875.0200; 7876.0110; 7877.0160; 7877.0170;  
7879.0100; 7883.0100; .0130; .0140; 7890.0100;  
7892.0120; 7895.0100; .0125; .0275; .0350; 7897.0100;

.0110; 7899.0100 (adopted) ..... 2307  
7897.0110 s.2 (adopted) ..... 2307

## Revenue Department

8100.0200; .0700 (adopted) ..... 2190  
8130.8900 (proposed) .....2484  
8130.8900 s.4 (proposed repealer) .....2484

## Secretary of State

8200.6400; .9115 (adopted) ..... 2308  
8205.1000 (adopted) ..... 2308  
8250.0360; .1400; .1550 (adopted) ..... 2308

## Teaching Board

8700.0100; .0200; .0210; .0300; .0400; .0500; .0501;  
.2000; .2500; .2900; .3200; .3300; .3510; .3900; .4000;  
.4300; .4400; .4500; .4600; .5300; .6410; .7100; .7300;  
.7400; .7800; .8010; .8020; .8040; .8110; .8120; .8140;  
.9010; 8750.0060; .0082; .0240; .0500; .0520; .1000;  
.1240; .1560; .1580; .1700; .1800; .1820; .1840; .1860;  
.1880; .1900; .1920; .1930; .1940; .1960; .1980; .2000;  
.2020; .2040; .2060; .2100; .2120; .3010; .3250; .3300;  
.3350; .3450; .3500; .3800; .3810; .3820; .3830; .3840;  
.4200; .6200; .8000 (adopted) ..... 2267  
8700.2900 s.5; .3510 s.7; .4000 s.6; .4100 s.2; .4200 s.2;  
.4600 s.4 and 5; .7300 s.3; .7400 s.2 (repealed) ..... 2267

## Human Services Department

9500.1070 s.12,13,14,15 (repealed) ..... 2404  
9505.0290; .0295; .0385; .0386; .0390; .0391; .0392;  
.0410; .0411; .0412 (adopted) ..... 2404  
9505.0323 (proposed) ..... 2295  
9530.6600; .6605; .6615; .6620; .6625; .6630; .6631;  
.6640; .6641; .6650; .6655; .7000; .7021;  
.7031 (proposed) ..... 2257  
9530.6650 s.3 (proposed repeal) ..... 2257

## Getaway in Style

**Room at the Inn Wisconsin.** Includes hard-to-find lodgings in out-of-the-way places, as well as in Wisconsin's major metropolitan areas and most popular vacation destinations. 224pp. Stock #19-3, \$9.95 plus tax.

**Room at the Inn Minnesota.** Looking for a weekday or weekend get-away? For a business meeting or simply pleasure? This is the only guide to more than 60 historic "Bed & Breakfast" homes, hotels, and country inns. 160pp. Stock #19-72, \$9.95 plus tax.

**Roughing It Elegantly.** A guide for the canoe camper visiting the BWCA, Voyageurs Park and Quetico Provincial Park. Full of practical tips and information: planning, organizing, packing, site location, and camp set-up. Simple, creative, enjoyable meals are a major feature. 159pp. Stock #9-3, \$9.95 plus tax.

**A Paddler's Guide to the Boundary Waters Canoe Area,** 78 pages of detailed maps and descriptions of 31 wilderness canoe routes in the Superior National Forest of Northern Minnesota. Includes what to bring along on canoe trips, regulations, canoe tips and detailed information for self-guided tours. Stock #19-17, \$4.95.

**TO ORDER:** Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6% sales tax. On all orders, add \$2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard and American Express orders accepted over phone and through mail. **Prices are subject to change.** FAX: (612) 296-2265.



Publication editors: As a public service, please reprint this ad in your publication, either as is, reduced, or redesigned to suit your format.

# Proposed Rules

Pursuant to Minn. Stat. §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

## Board of Animal Health

### Proposed Permanent Rules Relating to Poultry

#### Notice of Intent to Adopt a Rule Without a Public Hearing

**NOTICE IS HEREBY GIVEN** that the Minnesota Board of Animal Health intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedures Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22-14.28. The statutory authority to adopt this rule is *Minnesota Statutes*, section 35.03.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state their name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any proposed change. If a public hearing is required, the board will proceed according to *Minnesota Statutes*, sections 14.131-14.20.

Comments or written requests for a public hearing must be submitted to: Keith A. J. Friendshuh, DVM, Minnesota Board of Animal Health, Room 119, 90 West Plato Boulevard, St. Paul, MN 55107, (612) 296-3428.

The proposed rule may be modified if the modifications are supported by the data and views submitted to the board and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

**A STATEMENT OF NEED AND REASONABLENESS** that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available upon request from Dr. Friendshuh.

The board has determined that this rule will have no significant negative impact on small businesses.

If no hearing is required, upon adoption of the final rule, the rule and the required supporting documents will be submitted to Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule must submit a written request to Dr. Friendshuh.

Dated: 6 May 1991

STATE OF MINNESOTA  
T. J. Hagerty, DVM  
Executive Secretary

#### Rules as Proposed (all new material)

##### 1710.1300 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to parts 1710.1300 to 1710.1530.

Subp. 2. **Authorized agent.** "Authorized agent" means a person not employed by the board but designated and authorized by the board to perform functions under parts 1710.1300 to 1710.1530.

Subp. 3. **Baby poultry.** "Baby poultry" means newly hatched poultry that have not been fed or watered.

Subp. 4. **Board.** "Board" means the Minnesota Board of Animal Health.

Subp. 5. **Chickens.** "Chickens" means meat-type and egg-type chickens, but not exhibition, fancy, or game chickens.

Subp. 6. **Control program.** "Control program" means one or more of the state or state and federal cooperative programs for the control or eradication of poultry diseases.

Subp. 7. **Deal; dealing.** "Deal" and "dealing" mean the purchase and resale, for any purpose except immediate slaughter, of any live poultry not owned by the seller since the hatching of those poultry.

Subp. 8. **Dealer.** "Dealer" means a person, firm, association, partnership, or corporation engaged in dealing in poultry.

Subp. 9. **Disease control classification.** "Disease control classification" means the negative status of a flock as pertaining to one or more of the control program diseases.

Subp. 10. **Environmental sample.** "Environmental sample" means a dust, litter, or swab sample taken from a building according to plan procedures.

Subp. 11. **Flock.** "Flock" means poultry maintained and segregated for at least 21 days as one group of birds on one premises.

Subp. 12. **Flockowner.** "Flockowner" means a person who owns or is in charge of a flock or flocks of poultry.

Subp. 13. **Hatchery.** "Hatchery" means buildings and equipment on one premises operated or controlled for the purpose of hatching poultry.

Subp. 14. **Hatchery debris.** "Hatchery debris" includes hatcher fluff or egg shells, meconium, or dead germ eggs.

Subp. 15. **Hatching egg dealer.** "Hatching egg dealer" means a person in the business of selling, trading, or exchanging poultry hatching eggs owned by the person or for participating flockowners, independent flockowners, or other hatcheries.

Subp. 16. **Multiplier breeding flock.** "Multiplier breeding flock" means a flock intended for the production of progeny for commercial egg or meat production or for other nonbreeding purposes.

Subp. 17. **Nonparticipant.** "Nonparticipant" means a person who has not signed an agreement with the board or whose agreement has expired or been canceled.

Subp. 18. **Official laboratory.** "Official laboratory" means a laboratory authorized by the board through the cooperative plan to test poultry for program diseases.

Subp. 19. **Other domesticated fowl.** "Other domesticated fowl" means fancy, exhibition, and game chickens, waterfowl, and game birds maintained in captivity, excluding pigeons and doves.

Subp. 20. **Participant.** "Participant" means a person who has signed an agreement with the board that has not expired or been canceled.

Subp. 21. **Plan.** "Plan" means poultry disease control programs of the federal government with which the state cooperates. The board is the official agency for purposes of administering these programs.

Subp. 22. **Positive flock.** "Positive flock" means a flock in which one or more birds are diagnosed with a control program disease.

Subp. 23. **Poultry.** "Poultry" means turkeys, chickens, and other domesticated fowl.

Subp. 24. **Primary breeding flock.** "Primary breeding flock" means a flock composed of one or more generations that is maintained for the purpose of establishing, continuing, or improving parent lines.

Subp. 25. **Products.** "Products" means live poultry and hatching eggs.

Subp. 26. **Reactor.** "Reactor" means a bird that has a positive test to a control program disease.

Subp. 27. **Recycled.** "Recycled" means a flock that is molted for the purpose of coming back into production as a breeder flock.

Subp. 28. **Started poultry.** "Started poultry" means young poultry that have been fed and watered.

Subp. 29. **State inspector.** "State inspector" means a person employed by the board to perform functions under the plan and parts 1710.1300 to 1710.1530.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language.

## **Proposed Rules**

---

---

Subp. 30. **Supervision.** "Supervision" means the direct inspection or critical evaluation by a state inspector.

Subp. 31. **Turkeys.** "Turkeys" means domestic, exhibition, and wild turkeys maintained in captivity.

### **GENERAL PROVISIONS**

#### **1710.1310 SALE OF POULTRY AND HATCHING EGGS.**

No person may sell, offer for sale, purchase, or trade poultry less than four months of age and their hatching eggs unless they originate from flocks and hatcheries operating under the supervision of the board and parts 1710.1300 to 1710.1530. Birds over four months of age must be tested and be negative for the appropriate required tests before being sold, except those sold for immediate slaughter.

#### **1710.1320 EXEMPTIONS.**

Parts 1710.1300 to 1710.1530 do not apply to a person hatching eggs from the person's breeding flocks, if the eggs and progeny are maintained on the same premises and are not sold except to slaughter.

#### **1710.1330 PERMITS.**

No person may conduct or operate buildings and equipment for the purpose of incubating and hatching eggs or otherwise handling, brooding, selling, or dealing in baby or started poultry, unless a permit is obtained from the board. Requirements for a permit are a completed application, necessary testing, and a satisfactory inspection report. Permits are annual with the renewal date set by the board.

#### **1710.1340 BOARD PARTICIPATION.**

The board may participate in federal disease control programs for poultry. Breeder flocks and hatcheries signing up for any of these disease control programs must comply with all applicable provisions for obtaining and maintaining the program disease classifications agreed upon.

#### **1710.1350 REQUIRED PARTICIPATION.**

All hatcheries, dealers, and poultry breeder flocks shall participate in the Salmonella pullorum/gallinarum disease control program. In addition, turkey and chicken breeder flocks and hatcheries shall participate in the Mycoplasma gallisepticum (MG) and the Mycoplasma synoviae (MS) programs, except exhibition and wild turkeys are exempt from the MS program, and egg-type chicken breeder flocks and hatcheries must participate in the sanitation monitored program for Salmonella enteritidis. A required participation flock that is positive to any of these diseases must be quarantined and may not be used as a breeder flock for the production of hatching eggs.

#### **1710.1360 VOLUNTARY PARTICIPATION.**

Hatcheries and breeder flock owners may volunteer to participate in any other available disease control programs. Use of a breeder flock positive to any of these diseases disqualifies the hatchery and flock from classifications for these diseases.

#### **1710.1370 HATCHERY PARTICIPATION.**

If more than one hatchery is operated under the same ownership or management, all the hatcheries shall attain and maintain the same disease control classifications for all products interchanged. Flocks and hatcheries supplying a hatchery shall attain and maintain the same disease control classifications as the receiving hatchery.

#### **1710.1380 FLOCK PARTICIPATION.**

Flocks of poultry to be used for breeding under the board's supervision must be tested at the disease control participation level applied for according to parts 1710.1300 to 1710.1530 and follow all plan provisions. Only birds of the same or comparable classification may be added to a flock. The addition of poultry without the same or comparable classifications causes loss of those classifications.

#### **1710.1390 LOSS OF CLASSIFICATION.**

Poultry products produced under a plan agreement lose their classification when consigned to or received by a person without the same classification or by a nonparticipant. A hatchery or flock loses its disease control classification if any of its birds are considered positive in that disease classification.

#### **1710.1400 SUSPENSION OR REVOCATION OF PERMIT.**

Failure to comply with parts 1710.1300 to 1710.1530 is grounds to revoke or suspend the permit and the hatchery may lose disease control classifications.

#### **1710.1410 TEST PROCEDURES.**

Tests, procedures, and antigens used in the control of poultry diseases must be approved by the board according to plan programs, except the board may approve the use of other comparable tests, procedures, and antigens.

**1710.1420 TESTING SCHEDULE.**

**Subpart 1. Chicken; egg-type and meat-type.**

<b>Disease</b>	<b>Type of Flock</b>	<b>Initial Test 16 to 20 weeks of age or start of laying for recycled flocks</b>	<b>Monitoring During Laying Period</b>
Pullorum-Typhoid	Primary	300 blood tests	None
	Multiplier	No test required	None
	Recycled	No test required	None
Mycoplasma gallisepticum	Primary	300 blood samples	150 blood samples every 90 days
	Multiplier	150 blood samples with a minimum of 50 per barn	75 blood samples with minimum of 30 per pen every 90 days; or 30 cull chicks or 30 egg yolks every 30 days
	Recycled		
	Started poultry	75 blood samples with minimum of 50 per barn between 15 to 20 days before moving to laying quarters	
Mycoplasma synoviae	Primary	300 blood samples	150 blood samples every 90 days
	Multiplier	150 blood samples with a minimum of 50 per barn	75 blood samples every 90 days; or 30 cull chicks or 30 egg yolks every 30 days
	Recycled		
	Started poultry	75 blood samples with minimum of 50 per barn between 15 to 20 days before moving to laying quarters	
Sanitation monitored for Salmonella (egg-type only)	<b>Age</b>	<b>Type of sample</b>	
	0 to 7 days	Originate from sanitation monitored primary breeder or a sample of 30 1st 7-day deads and meconium.	
	16 to 20 weeks	300 blood samples* and 15 environmental samples**	
	Laying period	15 environmental samples** per month from each flock	
	Started poultry	Before hatching	Cleaned and disinfected brooder barns and 15 drag swabs cultured negative
		7 to 10 days	Early mortality sample and 15 environmental samples**
		12 to 18 weeks	15 environmental samples**
Sanitation monitored for Salmonella (meat-type only)	4 months of age	15 environmental samples	
	Laying period	15 environmental samples every 90 days	

\*culture reactors - maximum of 25

\*\*If Salmonella enteritis is isolated, then 60 birds must be examined bacteriologically for Salmonella.

**Subp. 2. Turkey.**

<b>Disease</b>	<b>Type of Flock</b>	<b>Initial Test 12 to 20 weeks of age or start of laying for recycled flocks</b>	<b>Monitoring during Laying Period</b>
Pullorum-Typhoid	Primary	300 blood samples	None
	Multiplier	No test required	None
	Recycled	No test required	None

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

Salmonella Typhimurium	Primary Multiplier	100 percent blood test or 500 blood samples** and 500 rectal swabs* per flock with a minimum of 100 of each per barn	30 environmental samples per barn
	Recycled	500 rectal swabs or 30 environmental samples at start of molting period	30 environmental samples per barn
Mycoplasma gallisepticum	Primary Multiplier	100 blood samples with a minimum of 30 per barn	60 hen and 30 tom blood samples with a minimum of 30 per barn at 28 to 30 weeks of age
	Recycled		
Mycoplasma meleagridis	Primary Multiplier	100 blood samples with a minimum of 30 per barn	60 hen and 30 tom blood samples with a minimum of 30 per barn at 28 to 30 weeks of age and at 4 to 6 week intervals thereafter
	Recycled		
Mycoplasma synoviae	Primary Multiplier	100 blood samples with a minimum of 30 per barn	60 hen and 30 tom blood samples with a minimum of 30 per barn at 28 to 30 weeks of age and at 4 to 6 week intervals thereafter
	Recycled		
Sanitation monitored for Salmonella spp.	<b>Age</b>	<b>Type of sample</b>	
	0 to 10 days	Hatchery debris or a sample of 30 1st 10-day deads and 15 environmental samples from cleaned and disinfected building before new candidate breeding flock is placed	
	12 to 20 weeks	30 environmental samples (may use swabs from Salmonella typhimurium testing)	
	35 to 50 weeks (midlay)	30 environmental samples once and hatchery debris or a sample of 30 1st 10-day deads on a monthly basis	
	End of production	30 environmental samples (before barn cleaned)	

\*If salmonella typhimurium is cultured from two or more rectal swabs or birds the flock is considered positive.

\*\*Serological reactors shall be submitted to the state laboratory within ten days for culture.

### Subp. 3. Waterfowl, exhibition, and game birds.

Disease	Type of Flock	Initial Test	Monitoring
Pullorum-Typhoid (100% test-first year)	Primary	100 birds blood tested per flock	None
	Primary waterfowl and game birds Waterfowl only	100 blood tests per flock or an approved monitoring program	Bacterial exam of hatchery debris from each hatch
Mycoplasma gallisepticum	Multiplier	No testing required	
	Primary	Blood samples from all birds or from 300 per flock	Blood samples every 90 days - 5% of flock with minimum of 100; or every 30 days - 30 cull baby poultry or 30 eggs
	Multiplier	Blood samples from 50% of birds with maximum - 200 per flock minimum - 30 per flock	Blood samples every 90 days - 2% with minimum of 30 per pen; or every 30 days - 30 cull baby poultry or 30 eggs

### 1710.1430 IDENTIFICATION.

If further testing is required, all poultry must be identified in such a way as to be individually found when the test is completed and all positive birds must be identified with a leg or wing band. Poultry tested for sale or exhibition must be identified with a leg or wing band.

### 1710.1435 DIAGNOSTIC SERVICES.

A person performing poultry diagnostic services shall report to the board, within 48 hours, the source of specimens that are positive to a disease for which there is a control program.

**1710.1440 REACTORS.**

Birds positive to any of the control program diseases are considered reactors. Reactors may be retested according to board and plan procedures. If retesting is required, reactors must be submitted to the laboratory within ten days.

**1710.1445 INVESTIGATION.**

The board shall conduct an investigation as to the origin of a disease infection in a flock for which there is a required program.

**1710.1450 QUARANTINE.**

Flocks positive to required participation disease control tests are quarantined. No products may be used from these flocks and the birds may only be sold to slaughter under permit from the board.

**1710.1455 RELEASE OF QUARANTINE.**

A quarantine imposed under part 1710.1450 must be released and the flock requalifies for participation in the disease control program:

A. if all cultures of the reactor birds are negative; or

B. for the Pullorum-Typhoid program, if all reactor birds are slaughtered, and there are two consecutive official negative tests, at least 21 days apart on all of the remaining birds.

**1710.1460 CLEANING AND DISINFECTING.**

After removal of a positive flock, the premises must be carefully cleaned and disinfected under official supervision according to plan procedures.

**1710.1470 ADDITIONAL TESTING.**

The board may conduct or require additional testing or other protective measures if the board considers it necessary.

**1710.1480 HATCHERY RESPONSIBILITIES.**

Hatchery management shall:

A. identify products as to source;

B. clean and disinfect incubators, hatching trays, and trays after each hatch according to plan procedures;

C. fumigate or sanitize hatching eggs according to plan procedures;

D. maintain incubator rooms, brooder rooms, and other hatchery areas in a sanitary condition and isolate the brooder room in a manner satisfactory to the board;

E. use only new or cleaned and disinfected poultry boxes;

F. not hatch or custom hatch eggs unless they originate from sources with the same or comparable disease control classifications as the hatchery;

G. permit inspection of buildings, equipment, and records at any reasonable time by agents of the board; and

H. maintain adequate records to show origin of all hatching eggs and destination of baby poultry for the current year and the previous year.

**1710.1490 FLOCKOWNER RESPONSIBILITIES.**

A flockowner shall:

A. maintain poultry buildings and premises in a sanitary condition;

B. fumigate or sanitize the hatching eggs as soon after laying as possible;

C. maintain identity of hatching eggs;

D. use only new or cleaned and fumigated egg cases;

E. isolate for at least 30 days and test any poultry returning to or being added to the flock;

F. permit inspection of flocks, buildings, and premises at any reasonable time by agents of the board;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

---

G. establish a good biosecurity program; and

H. not raise other poultry on the premises unless they are well segregated or of the same classifications.

### 1710.1500 AUTHORIZED TESTING AGENTS.

Subpart 1. **Program training course.** A person who wants to become an authorized testing agent shall attend and complete a program training course and perform satisfactory work at a field school. Temporary authorizations may be issued by the board. A veterinarian is not required to attend a program training course.

Subp. 2. **Term of authorization.** Authorization is valid for three years unless revoked or suspended by the board for failure to comply with parts 1710.1300 to 1710.1530 or for performing unsatisfactory work.

Subp. 3. **Fees.** Any authorized testing agent fees must be paid by the flockowner or hatchery.

Subp. 4. **Limitation.** Only testing agents with current authorization may collect samples or conduct Pullorum-Typhoid tests.

Subp. 5. **Records.** All tests must be recorded on an official test chart furnished by the board and the original must be submitted to the board within ten days following completion of the test.

### 1710.1510 DEALER RESPONSIBILITIES.

A poultry dealer shall:

A. maintain holding areas in a clean and sanitary condition;

B. not keep, maintain, or sell sick poultry and properly dispose of all sick or dead poultry;

C. report to the board any poultry showing signs or diagnosed as having a control program disease;

D. permit inspection of buildings, equipment, vehicles, and records at any reasonable time by agents of the board;

E. use only new or cleaned and disinfected poultry boxes; and

F. maintain adequate records to show the origin and distribution of all poultry for two years. Records must contain the number, breed, sex, and age of the poultry in each transaction.

### 1710.1520 ADVERTISING.

A person may not advertise poultry or a hatchery for any disease control classification which the poultry or hatchery does not have.

### 1710.1530 REVOCATION OF PERMIT.

The board may refuse to issue or may revoke a permit or authorization for failure to comply with parts 1710.1300 to 1710.1530. Upon receipt of a written notice of the violations from the board, the recipient has ten days to comply with parts 1710.1300 to 1710.1530. Failure to comply within this time is grounds for refusing to issue or to revoke the permit as well as to charge the violator with misdemeanor charges as applied to *Minnesota Statutes*, chapter 35. The board shall give written notice of the refusal to issue or the revocation by personal delivery or certified mail. The violator may, within 30 days, file a notice of appeal with the board for a hearing by the board.

**REPEALER.** *Minnesota Rules*, parts 1710.0010; 1710.0020; 1710.0030; 1710.0040; 1710.0050; 1710.0060; 1710.0070; 1710.0080; 1710.0090; 1710.0100; 1710.0110; 1710.0120; 1710.0130; 1710.0140; 1710.0150; 1710.0160; 1710.0170; 1710.0180; 1710.0190; 1710.0200; 1710.0210; 1710.0220; 1710.0230; 1710.0240; 1710.0250; 1710.0260; 1710.0270; 1710.0280; 1710.0290; 1710.0300; 1710.0310; 1710.0320; 1710.0330; 1710.0340; 1710.0550; 1710.0560; 1710.0570; 1710.0580; 1710.0590; 1710.0600; 1710.0610; 1710.0620; 1710.0630; 1710.0640; 1710.0650; 1710.0660; 1710.0670; 1710.0680; 1710.0690; 1710.0700; 1710.0710; 1710.0720; 1710.0730; 1710.0740; 1710.0750; 1710.0760; 1710.0770; 1710.0780; 1710.0790; 1710.0800; 1710.0810; 1710.0820; 1710.0830; 1710.0840; 1710.0850; 1710.0860; 1710.0870; 1710.0880; 1710.0890; 1710.0900; 1710.0910; 1710.0920; 1710.0930; 1710.0940; 1710.0950; 1710.0960; 1710.0970; 1710.0980; 1710.0990; 1710.1000; 1710.1010; 1710.1020; 1710.1030; 1710.1040; 1710.1050; 1710.1060; 1710.1070; 1710.1080; 1710.1090; 1710.1100; 1710.1110; 1710.1120; 1710.1130; 1710.1140; 1710.1150; 1710.1160; 1710.1170; 1710.1180; 1710.1190; 1710.1200; 1710.1210; 1710.1220; 1710.1230; 1710.1240; 1710.1250; 1710.1260; 1710.1270; 1710.1280; and 1710.1290, are repealed.

## Department of Natural Resources

### Proposed Permanent Rules Relating to Parks and Recreation Areas

#### Notice of Intent to Adopt Rule Amendments Without a Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Department of Natural Resources—Division of Forestry intends to adopt the

above entitled amendments without a public hearing, following the procedures set forth in *Minnesota Statutes* 14.21-14.28. The statutory authorities to adopt these rules are *Minnesota Statutes* 84.03, 85.052, 85.20, 89.031, 89.19, and 89.21.

Changes are proposed to Part 6100.0700 and the addition of a Part 6100.1610 to take care of problems that are occurring at state forest campgrounds and day use areas. The proposed rule changes protect forest resources while allowing for public enjoyment of the facilities.

The agency believes that these rule amendments have no fiscal impact on local governments, no impact on small business and no impact on agricultural lands.

Persons interested shall have 30 days to submit written comments in support of or in opposition to the proposed rule or any part or sub-part thereof. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30 day comment period. A public hearing will not be held unless 25 or more persons submit a written request for a public hearing. Any person requesting a public hearing must submit his or her name and address and specify the amendment that they desire a public hearing on. Identification of the specific objection, the suggested modifications, and the reasons or data relied upon to support the suggested modifications are desired. If a public hearing is required, the Department will proceed pursuant to *Minnesota Statutes* 14.131 to 14.20.

Persons who wish to submit comments or a written request for a public hearing, or persons who wish to receive a copy of this notice and/or a copy of the proposed amendments, should address their correspondence to:

John Hellquist  
Division of Forestry  
Box 44, 500 Lafayette Road  
St. Paul, MN 55155-4044  
Phone (612) 297-3508

The proposed rule may be modified if the modifications are supported by data and views submitted to the Department and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

**A STATEMENT THAT DESCRIBES THE NEED FOR AND REASONABLENESS** of each provision of the proposed amendments is available from the Department upon request at the above address.

Upon adoption of the final amendments without a public hearing, the proposed amendments, this notice, the statement of need and reasonableness, all written comments received, and the final amendments as adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final amendments as proposed for adoption, should submit a written request to the above address.

Please be advised that *Minnesota Statutes* Chapter 10A requires a lobbyist to register with the State Ethical Practices Board within 5 days after he/she commences lobbying. The statute provides some exceptions. Questions should be directed to the Ethical Practices Board, 625 Robert Street, St. Paul, MN 55101-2520, telephone (612) 296-5148.

Dated: 6 May 1991

Rodney W. Sando  
Commissioner of Natural Resources

### Rules as Proposed

#### 6100.0700 PERSONAL CONDUCT AND PROHIBITIONS.

A person's conduct shall be as prescribed in *Minnesota Statutes*, section 609.72.

Without prior permission from the park manager or forest officer, no person shall make noise tending reasonably to arouse alarm or resentment of others by means of a public address system, radio, stereo, amplifier, or power equipment, or by any other means.

It is unlawful for any person in a state park, state forest campground, or state forest day use area to consume intoxicating liquors, or to display in public intoxicating liquor containers. Possession of 3.2 beer in a keg is unlawful without written permission of the park manager or forest officer.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

---

No person shall engage in brawling or fighting, or use offensive, obscene, or abusive language, or engage in boisterous and noisy conduct tending reasonably to arouse alarm, anger, or resentment in others.

A person's possession and use of drugs shall be in accordance with state laws.

### **6100.1610 SWIMMING AT STATE FOREST CAMPGROUNDS OR STATE FOREST DAY USE AREAS.**

It is unlawful to swim in or enter any area where posted to prohibit entry. It is unlawful in any area where swimming is permitted, including designated beaches, to:

- A. allow any dog or other pet to enter the water with swimmers;
- B. enter the water before sunrise or after sunset;
- C. engage in any activity which is hazardous and could cause injury to others; or
- D. use any soap, detergent, or shampoo.

In addition to items A to D, it is unlawful to possess glass containers; to enter with any boat, canoe, or raft; fish; or change clothes except in a facility designated for that use, where a facility is provided.

## Department of Public Safety

### Driver and Vehicle Services Division

### Proposed Permanent Rules Relating to Disposition of Driver's License Following Non-Alcohol-Related Vehicle Offenses

#### Notice of Intent to Adopt Rules Without a Public Hearing and Notice of Intent to Adopt Rules With a Public Hearing If Twenty-five or More Persons Request a Hearing

**NOTICE IS HEREBY GIVEN** that the State Department of Public Safety intends to adopt the above-entitled rules without a public hearing following the procedures set forth in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the proposed rules is *Minnesota Statutes*, sections 65B.68, subdivision 1, 169.795, and 14.06.

All persons have 30 days, until 4:30 p.m., June 19, 1991, in which to submit comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Comment is encouraged. Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rules within the 30-day comment period. Any requests or comments must be received by the Department of Public Safety no later than 4:30 p.m. on the final day of the comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rules addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20. **PLEASE NOTE: That if twenty-five or more persons submit written requests for a public hearing within the 30-day comment period, a hearing will be held on July 23, 1991, unless a sufficient number withdraw their request. The hearing will be in accordance with the notice of public hearing on these same rules published in this *State Register* and mailed to persons registered with the Department of Public Safety.** To verify whether a hearing will be held, please call the Department of Public Safety, Driver and Vehicle Services Division, on or after June 20, 1991, between the hours of 8:00 a.m. and 4:30 p.m. at (612) 296-2608.

Persons who wish to submit comments or a written request for a public hearing must submit such comments or requests to: Laura Nehl-Trueman, Department of Public Safety, 208 Transportation Building, 395 John Ireland Boulevard, St. Paul, Minnesota 55155, (612) 296-2608.

The proposed rules may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rules as noticed.

A free copy of these rules is available on request for your review from Laura Nehl-Trueman at the address and telephone number listed above.

The proposed rules set forth existing departmental policy and practice with regard to driver's license withdrawal for non-alcohol-related vehicle offenses. The proposed rules address the revocation, suspension, and cancellation of a person's driver's license for violations of insurance laws under *Minnesota Statutes*, sections 65B.67, 169.791, and 169.792, for violations of traffic laws under Chapters 169 and 171, and for violations of other laws related to the operation of a motor vehicle. The proposed rules also address limited licenses and reinstatement procedures, as well as procedures for administrative review.

**A STATEMENT OF NEED AND REASONABLENESS** that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available from Laura Nehl-Trueman upon request at the address and telephone number listed above.

In preparing these rules, the Department has considered the requirements of *Minnesota Statutes*, section 14.115, in regard to the impact of the proposed rules on small businesses. The adoption of the rules will not directly affect small businesses. Insofar as there is an indirect effect upon a business caused by an employee's loss of driving privileges, the effect is outweighed by the department's need to keep the roads and highways safe. The department's evaluation of the small business requirements and of legislation which reduces the impact of license withdrawal on businesses is further addressed in the Statement of Need and Reasonableness.

Adoption of these rules will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption of the rules nor have an impact on agricultural land under *Minnesota Statutes*, section 14.11. *Minnesota Statutes*, section 16A.128, subdivision 2a, does not apply because the rules do not fix any fees.

If no hearing is required upon adoption of the rules, the rules and the required supporting documents will be delivered to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rules, must submit the written request to: Laura Nehl-Trueman, Department of Public Safety, 208 Transportation Building, 395 John Ireland Boulevard, St. Paul, Minnesota 55155.

Dated: 2 May 1991

Ralph Church, Commissioner  
Department of Public Safety

#### **Notice of Hearing and Notice of Intent to Cancel Hearing If Fewer Than Twenty-five Persons Request a Hearing in Response to Notice of Intent to Adopt Rules Without a Public Hearing**

**NOTICE IS HEREBY GIVEN** that a public hearing on the above-entitled matter will be held in Room 116A, Administration Building, 50 Sherburne Avenue, St. Paul, Minnesota 55155, on Tuesday, July 23, 1991, commencing at 9:00 a.m. and continuing until all interested or affected persons have an opportunity to participate. The proposed rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rules, you are urged to participate in the rules hearing process.

**PLEASE NOTE, HOWEVER: that the hearing will be cancelled if fewer than twenty-five persons request a hearing in response to the notice of intent to adopt these same rules without a public hearing published in this *State Register* and mailed to persons registered with the Department of Public Safety.** To verify whether a hearing will be held, please call the Department of Public Safety, Division of Driver and Vehicle Services, on or after June 20, 1991 between the hours of 8:00 a.m. and 4:30 p.m. at (612) 296-2608.

Following the Department's presentation at the hearing, all interested or affected persons will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing record may be mailed to George Beck, Administrative Law Judge, Office of Administrative Hearings, 500 Flour Exchange Building, 310 Fourth Avenue South, Minneapolis, MN 55415, telephone (612) 341-7601, either before the hearing or within five working days after the public hearing ends. The Administrative Law Judge may, at the hearing, order the record be kept open for a longer period not to exceed 20 calendar days. The comments received during the comment period shall be available for review at the Office of Administrative Hearings.

Following the close of the comment period, the agency and all interested persons have three business days to respond in writing to any new information submitted during the comment period. During the three-day period, the agency may indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. No additional evidence may be submitted during the three-day period. Any written material or responses must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the final day. The written responses shall be added to the rulemaking record. Upon the close of the record, the Administrative Law Judge will write a report as provided in *Minnesota Statutes*, sections 14.15 to 14.50. The rule hearing is governed by *Minnesota Statutes*, sections 14.14 to 14.20, and by *Minnesota Rules*, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the Administrative Law Judge.

The proposed rules set forth existing departmental policy and practice with regard to driver's license withdrawal for non-alcohol-

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

related vehicle offenses. The proposed rules address the revocation, suspension, and cancellation of a person's driver's license for violations of insurance laws under *Minnesota Statutes*, sections 65B.67, 169.791, and 169.792, for violations of traffic laws under Chapters 169 and 171, and for violations of other laws related to the operation of a motor vehicle. The proposed rules also address limited licenses and reinstatement procedures, as well as procedures for administrative review.

The agency's statutory authority to adopt the proposed rules is *Minnesota Statutes*, sections 65B.68, subdivision 1, 169.795, and 14.06.

In preparing these rules, the Department has considered the requirements of *Minnesota Statutes*, section 14.115, in regard to the impact of the proposed rules on small businesses. The adoption of the rules will not directly affect small businesses. Insofar as there is an indirect effect upon a business caused by an employee's loss of driving privileges, the effect is outweighed by the department's need to keep the roads and highways safe. The department's evaluation of the small business requirements and of legislation which reduces the impact of license withdrawal on businesses is further addressed in the Statement of Need and Reasonableness.

Adoption of these rules will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption of the rules nor have an impact on agricultural land under *Minnesota Statutes*, section 14.11.

Copies of the proposed rules are now available and a free copy may be obtained by writing to or calling: Laura Nehl-Trueman, Department of Public Safety, 208 Transportation Building, 395 John Ireland Boulevard, St. Paul, Minnesota 55155, (612) 296-2608.

Additional copies will be available at the hearing. If you have any questions on the content of the rules contact Laura Nehl-Trueman at the address or telephone number listed above.

**NOTICE:** Any person may request notification of the date on which the Administrative Law Judge's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. If you desire to be notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules were adopted and filed with the Secretary of State. The notice must be mailed on the same day the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the Department at any time prior to the filing of the rules with the Secretary of State.

**NOTICE IS HEREBY GIVEN** that a Statement of Need and Reasonableness is now available for review at the Department and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the Department anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be reviewed at the Department or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

Lobbyists must register with the State Ethical Practices Board. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101-2520, telephone (612) 296-5148.

Dated: 2 May 1991

Ralph Church, Commissioner  
Department of Public Safety

### Rules as Proposed

#### 7409.0100 DEFINITIONS.

[For text of subpart 1, see 15 SR 1675]

**Subp. 1a. Cancellation.** "Cancellation" means the commissioner's rescission of a person's driver's license for which the person must meet the requirements of part 7409.4300 for reinstatement of the person's driver's license.

**Subp. 1b. Certificate of insurance.** "Certificate of insurance" means a letter, a signed policy of vehicle liability insurance as required by *Minnesota Statutes*, section 65B.48, or a completed insurance certificate form from the authorized representative of the insurance carrier authorized to do business in the state stating that the vehicle will be covered by a plan of reparation security as required by *Minnesota Statutes*, section 65B.48, for one calendar year or that the operator will be covered by a plan of reparation security for a period of six months.

[For text of subps 2 to 6, see 15 SR 1675]

**Subp. 6a. Driver improvement clinic.** "Driver improvement clinic" has the meaning given in *Minnesota Statutes*, section 171.20, subdivision 3.

[For text of subp 7, see 15 SR 1675]

**Subp. 7a. Owner.** "Owner" has the meaning given in *Minnesota Statutes*, section 65B.43, subdivision 4.

**Subp. 7b. Personal injury.** "Personal injury" means a class A, incapacitating injury, other than a fatal injury, that prevents the injured person from walking, driving, or normally continuing the activities the person was capable of performing before the injury occurred, such as a severe laceration, broken or distorted limb, or skull, chest, or abdominal injury.

Subp. 7c. Plan of reparation security. “Plan of reparation security” has the meaning given in Minnesota Statutes, section 65B.43, subdivision 15.

Subp. 7d. Proof of insurance. “Proof of insurance” has the meaning given in Minnesota Statutes, section 169.791, subdivision 1.

Subp. 8. Revocation. “Revocation” means the commissioner’s ~~withdrawal~~ rescission of a person’s driver’s license ~~and privilege to drive in this state~~ for a specific minimum period of time under Minnesota Statutes, section 169.121, 169.123, 65B.67, 169.792, 171.165, or 171.17, for which the person must meet the requirements of part 7409.0600, 7409.3800, 7409.4000, or 7409.4100 for reinstatement of the person’s driver’s license.

Subp. 8a. Sufficient cause to believe. “Sufficient cause to believe” means grounds put forth in good faith, which are not arbitrary, irrational, unreasonable, or irrelevant, and that make the proposition asserted more likely than not, provided the grounds are based on at least one of the following sources:

- A. written information from an identified person;
- B. facts or statements by the applicant or driver;
- C. driver’s license and accident records;
- D. court documents and police records; or
- E. facts of which the commissioner or a department employee has personal knowledge.

Subp. 9. Suspension. “Suspension” means the commissioner’s temporary ~~withdrawal~~ removal of a person’s driver’s license ~~and privilege to drive in this state~~ under Minnesota Statutes, section 169.121, subdivision 8, 65B.67, subdivision 4a, 171.09, or 171.18 for which the person must meet the requirements of part 7409.3900 or 7409.4200 for reinstatement of the person’s driver’s license.

Subp. 10. Withdrawal or withdrawn. “Withdrawal” or “withdrawn” means the suspension, revocation, or cancellation of a person’s driver’s license.

Subp. 11. Withdrawal period. “Withdrawal period” means the time after a license withdrawal during which the person’s driving privilege has been withdrawn and has not been reinstated.

**REVOCAION**

**7409.1000 CRIMINAL VEHICULAR HOMICIDE AND INJURY OR MANSLAUGHTER.**

The commissioner shall revoke the driver’s license of a person upon receiving a record of conviction, for a period of:

A. five years, if the person is convicted under:

- (1) Minnesota Statutes, section 609.21, subdivision 1, clause (1), or subdivision 3, clause (1);
  - (2) Minnesota Statutes, section 609.20, manslaughter in the first degree, resulting from the operation of a motor vehicle;
- or
- (3) Minnesota Statutes, section 609.205, manslaughter in the second degree, resulting from the operation of a motor vehicle;
- or

B. three years, if the person is convicted under Minnesota Statutes, section 609.21, subdivision 2, clause (1); subdivision 2a, clause (1); or subdivision 4, clause (1).

**7409.1100 FLEEING FROM PEACE OFFICER.**

The commissioner shall revoke the driver’s license of a person upon receiving a record of conviction, for a period of:

- A. 90 days, if the person is convicted under Minnesota Statutes, section 609.487, subdivision 3;
- B. 180 days, if the person is convicted under Minnesota Statutes, section 609.487, subdivision 4, clause (b) or (c); or
- C. one year, if the person is convicted under Minnesota Statutes, section 609.487, subdivision 4, clause (a).

**7409.1200 FELONY WITH MOTOR VEHICLE.**

The commissioner shall revoke the driver’s license of a person for a period of 180 days upon receiving a record of conviction of a felony in the commission of which a motor vehicle was used.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## **Proposed Rules**

### **7409.1300 LEAVING SCENE OF ACCIDENT.**

The commissioner shall revoke the driver's license of a person upon receiving a record of conviction under Minnesota Statutes, section 169.09, for failure to stop and disclose identity and render aid in the event of a motor vehicle accident resulting in the death or personal injury of another, for a period of:

A. 180 days, if the accident upon which the conviction is based resulted in personal injury to another person; or

B. one year, if the accident upon which the conviction is based resulted in the death of another person.

### **7409.1400 PERJURY, FALSE AFFIDAVIT OR STATEMENT.**

The commissioner shall revoke the driver's license of a person for a period of 180 days, upon receiving a record of conviction for perjury or the making of a false affidavit or statement to the department under any law relating to the ownership or operation of a motor vehicle.

### **7409.1500 MULTIPLE MISDEMEANOR AND GROSS MISDEMEANOR OFFENSES.**

The commissioner shall revoke the driver's license of a person upon receiving a record of a certified misdemeanor or gross misdemeanor conviction under Minnesota Statutes, chapter 169, for a period of:

A. 30 days, if the person has been convicted of three misdemeanor or gross misdemeanor offenses under that chapter within a 12-month period;

B. 90 days, if the person has been convicted of four misdemeanor or gross misdemeanor offenses under that chapter within a 12-month period; or

C. one year, if the person has been convicted of five or more misdemeanor or gross misdemeanor offenses under that chapter within a 12-month period.

### **7409.1600 INSURANCE-RELATED OFFENSES.**

Subpart 1. Failure to maintain insurance. The commissioner shall revoke the driver's license of a person upon receiving a record of conviction under Minnesota Statutes, section 65B.67, for operating an uninsured vehicle, for a period of:

A. 30 days, if the person has no other convictions under Minnesota Statutes, section 65B.67, within a five-year period;

B. 90 days, if the person has been convicted two times under Minnesota Statutes, section 65B.67, within a five-year period;

C. 180 days, if the person has been convicted three times under Minnesota Statutes, section 65B.67, within a five-year period;

or

D. one year, if the person has been convicted four or more times under Minnesota Statutes, section 65B.67, within a five-year period.

Subp. 2. Failure to produce proof of insurance. The commissioner shall revoke the driver's license of a person who fails to produce proof of insurance under Minnesota Statutes, section 169.792. The revocation period is 30 days or until the person files proof of insurance, whichever period is longer.

## **SUSPENSION**

### **7409.2000 CRIMINAL VEHICULAR HOMICIDE AND INJURY OR MANSLAUGHTER.**

Subpart 1. Record of criminal charge. The commissioner shall suspend the driver's license of a person upon receiving a record of a criminal charge for criminal vehicular homicide and injury or manslaughter arising out of the operation of a motor vehicle. The license must be suspended for a period of not more than one year.

Subp. 2. Dismissal or acquittal. If the commissioner receives notice that the criminal charge was dismissed or that the person was acquitted of the criminal charge, the commissioner shall terminate the suspension period.

Subp. 3. Converted to revocation. If the person is later convicted of criminal vehicular homicide and injury or manslaughter, then the commissioner shall convert the suspension to a revocation. Time accrued under the suspension period must be credited toward the revocation period imposed upon conviction of criminal vehicular homicide and injury or manslaughter.

### **7409.2100 VIOLATION RESULTING IN FATALITY OR PERSONAL INJURY.**

The commissioner shall suspend the driver's license of a person upon receiving a record of conviction under Minnesota Statutes, chapter 169 or an ordinance regulating traffic, except traffic laws specifically excluded from the driving record by statute, when it appears from the department records that the violation for which the person was convicted contributed in causing an accident resulting in the death or class A personal injury of another. The driver's license must be suspended for a period of:

A. 90 days, if the violation upon which the conviction was based resulted in the personal injury of another person;

B. 180 days, if the violation upon which the conviction was based resulted in the death of another person; or

C. as recommended by the court, when made in connection with the prosecution of the licensee.

**7409.2200 HABITUAL VIOLATORS.**

Subpart 1. In general. The commissioner shall suspend the driver's license of a person upon receiving a record of conviction for a violation of a traffic law under Minnesota Statutes, chapter 169 or 171, or other statutes regulating the operation of motor vehicles on streets or highways, except traffic laws specifically excluded from the driving record by statute. The driver's license must be suspended for a period of:

- A. 30 days, if the commissioner has previously sent a violation warning letter to the person and the person is convicted of:
  - (1) four traffic offenses within a 12-month period; or
  - (2) five traffic offenses within a 24-month period;
- B. 90 days, if the person is convicted of:
  - (1) five traffic offenses within a 12-month period; or
  - (2) six traffic offenses within a 24-month period;
- C. 180 days, if the person is convicted of seven traffic offenses within a 24-month period; or
- D. one year, if the person is convicted of eight or more traffic offenses within a 24-month period.

The commissioner shall send a warning letter or conduct a preliminary hearing under part 7409.4500 if the person is convicted of two misdemeanors or convicted of three or more traffic offenses, under this subpart, occurring within a 24-month period.

The warning letter must be sent by first class mail to the person's last known address or to the address listed on the person's driver's license, informing the person of the number and type of traffic violations on the person's driving record and the consequences of additional traffic violations.

Subp. 2. License, permit, and endorsement violations. The commissioner shall suspend the driver's license of a person for a period of 30 days upon receiving a record of conviction of two or more violations of Minnesota Statutes, section 169.974, subdivision 2; 171.02; 171.05; or 171.321, if the two violations are more than 60 days apart.

Subp. 3. Limited license violations. The commissioner shall suspend the driver's license of a person upon receiving a record of conviction for violating a condition or limitation of a limited license under Minnesota Statutes, section 171.30, for a period of:

- A. 30 days, if the person has no other convictions under that section within a five-year period;
- B. 90 days, if the person has been convicted two times under that section within a five-year period;
- C. 180 days, if the person has been convicted three times under that section within a five-year period; or
- D. one year, if the person has been convicted four or more times under that section within a five-year period.

Subp. 4. Driving after withdrawal. The commissioner shall suspend the driver's license of a person upon receiving a record of conviction of a traffic law under Minnesota Statutes, chapter 169, 171, or other statutes regulating the operation of motor vehicles on streets or highways, except traffic laws specifically excluded from the driving record by statute, committed while the person was driving under a period of withdrawal. The driver's license must be suspended for a period of:

- A. 30 days, if the person has no other incidents of driving after withdrawal within a five-year period;
- B. 90 days, if the person has two incidents of driving after withdrawal within a five-year period;
- C. 180 days, if the person has three violations of driving after withdrawal within a five-year period; or
- D. one year, if the person has four or more violations of driving after withdrawal within a five-year period.

**7409.2300 MISUSE OF LICENSE.**

Except as otherwise provided in Minnesota Statutes, section 171.171, the commissioner shall suspend the driver's license of a person upon receiving a record of conviction under Minnesota Statutes, section 171.22, for a period of:

- A. 90 days, if the person has no other convictions under that section within a five-year period; or
- B. 180 days if the person has been convicted two or more times under that section within a five-year period.

**7409.2400 FAILURE TO MAINTAIN INSURANCE.**

Subpart 1. Authority; suspension periods. Under Minnesota Statutes, section 65B.67, subdivision 4a, the commissioner shall

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language.

## Proposed Rules

suspend the driver's license of an operator upon a showing by department records, including accident reports or other sufficient evidence, that a plan of reparation security had not been provided and maintained at the time of the incident. The driver's license must be suspended for a period of:

A. 30 days, if the operator's driver's license has not been withdrawn under Minnesota Statutes, section 65B.67, within a five-year period;

B. 90 days, if the operator's driver's license has been withdrawn once under Minnesota Statutes, section 65B.67, within a five-year period;

C. 180 days, if the operator's driver's license has been withdrawn twice under Minnesota Statutes, section 65B.67, within a five-year period; or

D. one year, if the operator's driver's license has been withdrawn three or more times under Minnesota Statutes, section 65B.67, within a five-year period.

Subp. 2. Converted to revocation. If a person is later convicted under Minnesota Statutes, section 65B.67, subdivision 4, paragraph (b), for the same offense, then the commissioner shall convert the suspension imposed under this part to a revocation under part 7409.1600, subpart 1.

Subp. 3. Suspension time credited to revocation period. Time accrued under the suspension period in this part must be credited toward the revocation period imposed upon conviction under Minnesota Statutes, section 65B.67, subdivision 4, paragraph (b).

### CANCELLATION

#### **7409.2800 CANCELLATION; GROUNDS.**

The commissioner shall cancel the driver's license of a person on determining that the person:

A. was not entitled to be issued a driver's license;

B. has failed to give the required or correct information in the application for a driver's license;

C. has committed a fraud or deceit in applying for a driver's license;

D. at the time of cancellation, would not have been entitled to receive a license under Minnesota Statutes, section 171.04; or

E. has failed to submit to an examination under Minnesota Statutes, section 171.13.

### WITHDRAWAL PERIODS, ACTION; LICENSE SURRENDER

#### **7409.3000 MULTIPLE LICENSE WITHDRAWALS.**

Subpart 1. Consecutive, generally. When a person is subject to more than one withdrawal period under this chapter, the withdrawal periods shall run consecutively, except as otherwise provided in this part.

Subp. 2. Concurrent. Withdrawal periods imposed under chapter 7503 run concurrently with withdrawal periods imposed under this chapter when the withdrawal periods arise from the same incident.

Subp. 3. Vehicular liability violations. Withdrawal periods imposed for vehicular liability violations under parts 7409.1600 and 7409.2400 run concurrently with other withdrawal periods arising from the same incident. Vehicular liability violations under parts 7409.1600 and 7409.2400 not arising from the same incident, run consecutively with each other and with other withdrawal periods that have been imposed under this chapter.

Subp. 4. Suspension periods. Suspension periods imposed under part 7409.2200, subpart 1, shall run concurrently with revocation periods imposed under part 7409.1500 when the withdrawal periods arise from the same incident. The total period of withdrawal must not exceed the longer of the two withdrawal periods.

Subp. 5. Court order. Withdrawal periods imposed by a court order run concurrently with other withdrawal periods imposed under this chapter, unless otherwise ordered by the court.

Subp. 6. Total suspension period. The total suspension period must not exceed one year unless otherwise recommended by a court.

#### **7409.3100 DRIVING INCIDENTS OUT OF STATE; WITHDRAWAL.**

Upon receiving a record of conviction, the commissioner shall impose the same period of withdrawal of a person's driving privilege if a person commits or is convicted of an offense in another state that, if committed in this state, would be grounds for the withdrawal of the driving privilege.

#### **7409.3200 NOTICE OF WITHDRAWAL ACTION.**

The commissioner shall notify a person whose driver's license is subject to withdrawal or has been withdrawn. The notification must be in writing and be personally served or sent by first class mail to the person's last known address or the address listed on the

person's driver's license. The notice shall contain the reason for withdrawal, the length of withdrawal, and the requirements for reinstatement of the person's driver's license. The commissioner shall place the notices sent by first class mail on the department's certified mailing list.

#### **7409.3400 DRIVER'S LICENSE SURRENDER.**

Subpart 1. License surrender. A person holding a license of any class issued by the department shall surrender the license when the person's driver's license has been revoked, suspended, or canceled. If the license subject to surrender has been lost, stolen, or destroyed, an affidavit or written statement explaining the loss must be submitted in its place. Affidavit forms must be available at the department driver examination and evaluation offices, where the person may surrender the withdrawn license or submit the affidavit or written statement.

Subp. 2. Refusal to surrender license. If a person fails or refuses to surrender a license following suspension, revocation, or cancellation within 30 days of notice under part 7409.3200, the commissioner shall inform the local law enforcement agency. The department shall request that the agency obtain the license or written statement regarding the license's whereabouts. The suspension, revocation, or cancellation period is in effect upon notifying the licensee, but credit must not be given toward the suspension, revocation, or cancellation period until the license is surrendered.

### **LIMITED LICENSE**

#### **7409.3600 LIMITED LICENSE.**

The commissioner shall issue a limited license following a revocation or suspension under *Minnesota Statutes*, section 169.792, 171.17, or 171.18, when the person has met the following conditions:

A. the person has demonstrated a need and has met the requirements for a limited license under *Minnesota Statutes*, section 171.30;

B. the person has paid the reinstatement fee required by statute;

C. the person has surrendered the license issued by the department, as required by *Minnesota Statutes*, section 171.20;

D. the person has passed the driver's license examination, has applied for a new license, and has paid the application fee for the class of license involved, as required for issuing an original license, if the person's driver's license was revoked other than under *Minnesota Statutes*, section 169.792;

E. one-half of the revocation or suspension period has expired, if the person has been issued a limited license within the previous 12 months;

F. the person requests a limited license by written correspondence, by personal appearance at the department, or by telephone if the person resides outside the seven-county metropolitan area; and

G. the person has fulfilled all outstanding requirements for all other driver's license withdrawals.

### **REINSTATEMENT**

#### **7409.3800 REINSTATEMENT AFTER INSURANCE-RELATED REVOCATION; 65B.67, SUBD. 4.**

The commissioner shall reinstate the driver's license of a person whose license has been revoked under *Minnesota Statutes*, section 65B.67, subdivision 4, paragraph (b), when the operator has met the reinstatement conditions listed under part 7409.4100 and the operator files with the commissioner:

A. if the operator is also the owner of the vehicle involved in the incident, a certificate of insurance for:

(1) the vehicle cited on the traffic citation; or

(2) if no vehicle is cited on the traffic citation or if the vehicle has been sold or junked, the vehicle currently being operated;

B. if the operator is not the owner of the vehicle involved in the incident, a certificate of insurance for the vehicle owned and currently being operated; or

C. if the operator is not the owner of the vehicle involved in the incident and the operator does not own a vehicle, a certificate of insurance for a nonowner operator policy or a certificate of insurance verifying the operator is a named insured.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

### **7409.3900 REINSTATEMENT AFTER INSURANCE-RELATED SUSPENSION; 65B.67, SUBD. 4A.**

The commissioner shall reinstate the driver's license of a person whose license has been suspended under Minnesota Statutes, section 65B.67, subdivision 4a, when the operator has met the reinstatement conditions listed under part 7409.4200 and:

A. if the person's driver's license has not been withdrawn under Minnesota Statutes, section 65B.67, within a five-year period, the operator provides the commissioner with verifiable insurance information, including the name of the insurance company, the insurance policy number, and the name of the policyholder for:

(1) the vehicle cited, as shown on department records, or if no vehicle is shown on department records as being cited or if the vehicle has been sold or junked, the vehicle currently being operated if the operator was also the owner of the vehicle involved in the incident; or

(2) the vehicle owned and currently being operated, if the operator is not the owner of the vehicle involved in the incident and the operator knew or had reason to know that the vehicle did not have a plan of reparation security complying with the terms of Minnesota Statutes, section 65B.48; or

B. if the person's driver's license has been withdrawn two or more times under Minnesota Statutes, section 65B.67, within a five-year period, the operator provides the commissioner with a certificate of insurance for:

(1) the vehicle cited, as shown on department records, or if no vehicle is shown on department records as being cited or if the vehicle has been sold or junked, the vehicle currently being operated if the operator was also the owner of the vehicle involved in the incident; or

(2) the vehicle owned and currently being operated, if the operator is not the owner of the vehicle involved in the incident and the operator knew or had reason to know that the vehicle involved in the incident did not have a plan of reparation security complying with the terms of Minnesota Statutes, section 65B.48.

### **7409.4000 REINSTATEMENT AFTER INSURANCE-RELATED REVOCATION; 169.792.**

The commissioner shall reinstate the driver's license of a person whose license has been revoked under Minnesota Statutes, section 169.792, when the driver has met the reinstatement requirements under part 7409.4100, items A to D, and the driver or owner files with the commissioner:

A. if the driver is also the owner of the vehicle involved in the incident, proof of insurance for:

(1) the vehicle operated at the time of the incident; or

(2) the vehicle currently being operated, if no vehicle is cited on the "no proof of insurance" report or if the vehicle involved in the incident has been sold or junked;

B. if the driver is not the owner of the vehicle involved in the incident, proof of insurance for a vehicle owned and currently being operated by the driver; or

C. if the driver does not own a vehicle, a nonowner operator policy or proof of insurance verifying that the person is a named insured.

### **7409.4100 REINSTATEMENT AFTER REVOCATION, GENERALLY.**

Except as provided in parts 7409.3800 and 7409.4000, the commissioner shall reinstate the driver's license of a person whose license is revoked when the following conditions have been satisfied:

A. the revocation period has expired;

B. no withdrawal of the person's driver's license is outstanding;

C. the person has paid the reinstatement fee as required by statute;

D. the person's driver's license was surrendered under Minnesota Statutes, section 171.20; and

E. the person applied for a new license, paid the application fee for the class of license involved, and has passed the driver's license examination, as required for issuing an original license.

### **7409.4200 REINSTATEMENT AFTER SUSPENSION, GENERALLY.**

Except as provided in part 7409.3900, the commissioner shall reinstate the driver's license of a person whose driver's license is suspended when the following conditions have been satisfied:

A. the suspension period has expired or the person has satisfied the requirements of suspension;

B. no withdrawal of the person's driver's license is outstanding;

C. the person has paid the suspension reinstatement fee as required by statute; and

D. the person's driver's license was surrendered under Minnesota Statutes, section 171.20.

**7409.4300 REINSTATEMENT AFTER CANCELLATION.**

The commissioner shall reinstate the driver's license of a person whose license is canceled when the following conditions have been satisfied:

- A. no withdrawal of the person's license is outstanding;
- B. the person's driver's license was surrendered under *Minnesota Statutes*, section 171.20;
- C. the person has applied for a new license, has paid the application fee for the class of license involved, and has passed the driver's license examination, as required for issuing an original license; and
- D. the person is otherwise eligible for a driver's license under *Minnesota Statutes*.

**HEARINGS**

**7409.4500 PRELIMINARY HEARING.**

Subpart 1. Preliminary hearing required. The commissioner shall require a person to attend a preliminary hearing when the commissioner has sufficient cause to believe that the person:

- A. has committed a violation under *Minnesota Statutes*, section 171.22, for an unlawful or fraudulent act regarding a driver's license or Minnesota identification card;
- B. has committed a second violation under *Minnesota Statutes*, section 171.09, for a violation of a restriction imposed on the person's driver's license;
- C. has committed a violation under *Minnesota Statutes*, section 171.30, of a condition or limitation of a limited license; or
- D. was not previously sent a warning letter under part 7409.2200, subpart 1, and is convicted of:
  - (1) two misdemeanor traffic offenses within a 12-month period;
  - (2) four traffic offenses within a 12-month period; or
  - (3) five traffic offenses within a 24-month period.

Subp. 2. Scope of review. The commissioner shall review the evidence upon which the preliminary hearing was based, and any other material information brought to the attention of the commissioner.

The commissioner may seek additional information from the person undergoing the preliminary hearing or from an agency or person believed to have information relating to the facts underlying the preliminary hearing. The person required to undergo a preliminary hearing may present additional information to the commissioner at the hearing.

Subp. 3. Suspension period. If, after reviewing the evidence presented at the preliminary hearing, the commissioner has sufficient cause to believe that the person has committed an offense listed in subpart 1, the commissioner shall suspend the driver's license of the person for a minimum period of 30 days or in accordance with the number of traffic convictions accumulated, as set forth in part 7409.2200, subpart 1, unless the person agrees to enter into a driver improvement agreement, as set forth in part 7409.4600, subpart 5.

Subp. 4. Failure to attend preliminary hearing. The commissioner shall suspend the driver's license of a person who fails to attend a preliminary hearing for a minimum period of 30 days or in accordance with the number of traffic convictions accumulated, as set forth in part 7409.2200, subpart 1.

Subp. 5. Notice of preliminary hearing. The commissioner shall send a notice to the person who is required to attend a preliminary hearing by first class mail to the person's last known address or to the address listed on the person's driver's license informing the person:

- A. the reason for the preliminary hearing;
- B. of the time, date, and place of the hearing and, if necessary, instructions to reschedule the hearing; and
- C. that failure to attend the hearing will result in suspension of the person's driver's license.

**7409.4600 ADMINISTRATIVE HEARING.**

Subpart 1. Right to hearing. The commissioner shall grant a hearing to a person whose driver's license has been withdrawn or is subject to withdrawal.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language.

## Proposed Rules

---

Subp. 2. Procedure for requesting hearing. A hearing is initiated by a request for review at the department. The hearing may be held by written correspondence, by telephone, or by a personal appearance. The person requesting the review must inform the department of the person's full name, date of birth, driver's license number, and the date of the incident for which review is being requested.

Subp. 3. Scope of review. On receiving a request for a hearing, the commissioner shall review the order, the evidence upon which the order was based, and any other material information brought to the attention of the commissioner to determine whether sufficient cause exists to sustain the order.

The commissioner may seek additional information from the person requesting the review or from an agency or person believed to have information relating to the facts underlying the order of withdrawal. The person requesting the review may present additional information to the commissioner at the hearing.

Subp. 4. Decision. Upon reviewing the evidence, the commissioner shall sustain the withdrawal order if there is sufficient cause to believe that the withdrawal is authorized by law. If the commissioner finds that there is not sufficient cause to believe the withdrawal order is authorized by law, the order must be rescinded.

The commissioner shall give a prompt decision to the person and shall issue a copy of the decision to the person upon request.

Subp. 5. Driver improvement agreement. The commissioner may waive department action on the person's driver's license if:

A. the person's driver's license has been suspended under *Minnesota Statutes*, section 171.09 or 171.18;

B. after reviewing the person's entire driving record, the commissioner has sufficient cause to believe that the person will improve the person's driving conduct or has demonstrated improved driving conduct; and

C. the person agrees to enter into a driver improvement agreement with the commissioner.

A driver improvement agreement is an agreement between a driver and the commissioner whereby the driver agrees to improve driving conduct in consideration for the department taking no action on the suspension that the person currently has pending.

The driver improvement agreement must not be for a period less than the period of suspension that the person currently has pending.

If the person commits a violation arising out of the operation of a motor vehicle while a driver improvement agreement is in effect, the person's driver's license will be withdrawn for 30 days or according to this chapter, chapter 7503, or *Minnesota Statutes*, whichever is the longer period.

## Department of Revenue

### Proposed Permanent Rules Relating to Florists and Nurseries

#### Notice of Intent to Adopt a Rule Without a Public Hearing

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Revenue intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes* section 270.06, subdivision 13 (1990).

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20 (1990).

Comments or written requests for a public hearing must be submitted to:

Terese Koenig Smith, Attorney  
Business Tax Unit  
Appeals and Legal Services Division  
10 River Park Plaza  
Mail Station 2220  
St. Paul, MN 55146-2220  
(612) 296-1902 Extension 128

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice. A free copy of the rule is also available upon request from:

Terese Koenig Smith, Attorney  
Business Tax Unit  
Appeals and Legal Services Division  
10 River Park Plaza  
Mail Station 2220  
St. Paul, MN 55146-2220  
(612) 296-1902 Extension 128

**A STATEMENT OF NEED AND REASONABLENESS** that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Terese Koenig Smith upon request.

Promulgation of the proposed rule will not result in the expenditure of public monies by local public bodies, fix or adjust any fees, or have an impact on agricultural land. The affect, if any, that the proposed rule may have on small businesses is further discussed in the Statement of Need and Reasonableness.

The proposed rule will have an impact on small businesses to the extent that the business is involved in making retail sales of floral or nursery products. Although there are large and small florist and nursery businesses, this rule will not impart competitive advantage to a company that is not a small business.

The qualitative impact of the proposed rule on small businesses will be positive as a result of simplification of the reporting requirements through clarification of the application of the sales tax to situations involving sales of floral or nursery products. The quantitative impact will be minimal, since the proposed rule will not result in an economic impact on small businesses. In addition there are no new reporting, filing, fee, or compliance requirements.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to:

Terese Koenig Smith	
Business Tax Unit	Mail Station 2220
Appeals and Legal Services Division	St. Paul, MN 55146-2220
10 River Park Plaza	(612) 296-1902 Extension 128

Dated: 3 May 1991

Dorothy A. McClung  
Commissioner of Revenue of  
the State of Minnesota

## Rules as Proposed

### **8130.8900 FLORISTS AND ~~NURSERYMEN~~ NURSERIES.**

Subpart 1. **Taxable transactions.** The following transactions are subject to sales or use tax:

A. Sales at retail by florists, ~~nurserymen~~ nurseries, or other producers or vendors of trees, flowers, wreaths, bouquets, potted plants, ~~shrubby~~, hospital baskets, funeral designs, ~~grass~~, seeds, nursery seedling stock (to be used for landscaping, windbreaks, shelterbelts, erosion control, soil conservation, wildlife cover, commercial production of fruit and cut flowers, and other such purposes), and all other flowers, plants, or merchandise, trees, shrubs, plants, sod, soil, bulbs, sand, rock, and all other floral or nursery products, whether grown by such vendors or not, are taxable sales of tangible personal property to which the tax applies.

Sales by florists, nurserymen, or other persons of shrubbery, plants, sod, trees, and similar items which such vendors are required to transplant on the land of the purchaser for a lump sum or flat rate are subject to tax. The total sales price of such property and

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language.

## Proposed Rules

services shall be the basis of the tax unless the vendor separately states the charge for the services in transplanting, in which event the basis of the tax shall be the charge for the tangible property only.

When a florist or nursery prepares a floral arrangement for a customer, the entire transaction is taxable, including all charges for labor and materials even if separately stated on the bill.

When a florist or nursery prepares a floral arrangement for a customer who has provided the flowers or other materials, the labor charge by the florist or nursery constitutes fabrication labor and is taxable.

B. Retailers of floral or nursery products who also perform lawn, garden, arborist, tree, bush, and shrub services must collect tax on those services. Lawn, garden, arborist, tree, bush, and shrub services are taxable pursuant to Minnesota Statutes, section 297A.01, subdivision 3, paragraph (j), clause (vi). These services are taxable even though the services are provided incident to the sale of tangible personal property.

C. Purchases by such vendors of machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures, and fuel, electricity, gas, or steam used for space heating or lighting are taxable unless purchased for resale.

D. When a Minnesota florist or nursery sells flowers or other tangible personal property to an out-of-state customer and delivers the items to the customer or a third person within this state, that transaction is taxable. An out-of-state customer is one who is not physically present in Minnesota when placing the order. This item only applies to orders taken directly from the customer by the Minnesota florist or nursery. This item does not apply to telegraphic orders as described in subpart 3.

E. When a Minnesota florist or nursery sells flowers or other tangible personal property and delivers the items to someone other than the person who made the purchase, the transaction is taxable even if delivery is to a point outside of Minnesota. The transaction is a sale at retail made in this state and thus is subject to sales tax.

Subp. 2. **Exempt transactions.** The following transactions are not subject to sales or use tax:

A. Sales of trees, plants, seeds, or similar items to persons for use in agricultural production of tangible personal property for resale are exempt (upon presentation of proper exemption certificates to the vendors) if such purchasers are commercial growers of the particular items purchased. For example, stock purchased for the purpose of reforestation where forest products will be later harvested in the form of Christmas trees, posts, poles, pulpwood, etc., are exempt. See part 8130.5500.

B. Purchases by florists, nurserymen nurseries, or other like producers or vendors of plants and other merchandise tangible personal property which are ultimately sold with the plants, including nonreturnable containers and descriptive labels, stickers, and cards affixed to such containers, peat moss, sand, gravel, crushed rock, shavings, sticks, trellises, and plant ties, to be placed in pots or cans with plants and ultimately sold along with the plants, are exempt as purchases for resale. Purchases of nursery stock, seeds, plants, spray materials, and fertilizers to grow nursery stock for resale are exempt as items to be used or consumed in agricultural production and ultimately sold at retail. Purchases of electricity and fuel used or consumed in production are also exempt, except that the portion used for space heating or lighting is taxable. See part 8130.5500.

C. When a Minnesota florist or nursery sells flowers or other tangible personal property and delivers the items to the customer outside the state by common carrier, parcel post, United States mail, or the florist's or nursery's own delivery vehicles, the transaction is exempt.

Subp. 3. **Telegraphic orders.** When florists or nurserymen nurseries conduct transactions through a florist telegraphic delivery association, or otherwise by telephone, telegraph, or other means of communication with other florists or nurserymen nurseries, the following rules will apply in the computation application of the tax:

A. Where an order for flowers, wreaths, or other merchandise tangible personal property is taken from a customer by a Minnesota florist or nurseryman nursery and transmitted to another florist or nurseryman nursery located within or outside of Minnesota for delivery, the florist or nurseryman who nursery which initially takes the order from the customer is required to collect the tax.

B. Minnesota florists or nurserymen nurseries who receive orders from other florists or nurserymen nurseries, whether located within or outside this state, for delivery of flowers, wreaths, or other merchandise tangible personal property to locations either within or outside of Minnesota, do are not required to collect the tax.

C. The sales tax does not apply to telegraph, or telephone, or service charges if such charges are separately stated from the price of the flowers or other merchandise tangible personal property ordered by the customer.

However, the tax does apply to relay or handling charges paid to the florist or nursery which sends an order whether these charges are separately stated or not.

The sales tax does not apply to transportation charges to the extent they are separately stated and the transportation occurs after the retail sale.

Subp. 4. [See repealer.]

**REPEALER.** Minnesota Rules, part 8130.8900, subpart 4, is repealed.

## Technical Colleges Board

### Proposed Permanent Rules Relating to Teacher Licenses

#### Notice of Intent to Adopt a Rule Without a Public Hearing

**NOTICE IS HEREBY GIVEN** that the State Board of Technical Colleges intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, Section 14.22 to 14.28. The statutory authority to adopt the rules is *Minnesota Statutes* 136C.04, Subdivision 9.

All persons have 30 days until 4:30 p.m., Thursday, June 20, 1991, in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, Sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to either:

Glenda Moyers, Supervisor  
State Board of Technical Colleges  
100 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101  
Telephone: 612-296-9446

Georgia Pomroy, License Revision Specialist  
State Board of Technical Colleges  
100 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101  
Telephone: 612-296-0680

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

**A STATEMENT OF NEED AND REASONABLENESS** that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Glenda Moyers or Georgia Pomroy at the above address and phone, upon request.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or wish to receive a copy of the adopted rule must submit the written request to either Glenda Moyers or Georgia Pomroy at the above-mentioned address.

Helen Henrie, Deputy Chancellor  
State Board of Technical Colleges

#### Rules as Proposed

##### **3515.6005 POSTSECONDARY RELATED SUBJECTS INSTRUCTOR.**

**Subpart 1. Licensure requirement.** A person holding a position as a postsecondary related subjects instructor must be licensed under part 3515.5700 and this part when responsible for instructing students in foundational areas or occupational personal development areas in cooperation with instructional personnel in major occupational areas.

**Subp. 2. Licensure criteria for foundational areas (mathematics, science, communications).** An applicant:

A. must be a graduate of an accredited college with a four-year degree, including a major in the area of licensure to be taught, or the equivalent, as verified by a teacher education institution that grants such degrees;

B. shall have completed 4,000 hours of occupational experience in an area other than education; and

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

---

C. shall meet the requirements of the postsecondary vocational teacher education sequence in parts 3515.1400 to 3515.2000.

Subp. 3. Recency exemption. When applying for this license, an applicant who qualifies under subpart 2 and who is currently licensed and practicing as a postsecondary technical college instructor in an occupational continuous program or continuous general studies area need not comply with the recency requirement listed in the special needs licensure chart in parts 3515.9940 to 3515.9942 and the recency requirement in part 3515.0100, subpart 25.

Subp. 4. License criteria for occupational personal development (for example, job seeking, interviewing, personal dynamics). Option one: An applicant:

A. shall be a graduate of an accredited college with a four-year degree, including a major in the area of licensure to be taught (for example, industrial relations, personnel management, employment counseling, business administration), or the equivalent, as verified by an institution that grants such degrees;

B. shall have completed 4,000 hours of occupational experience in an area other than education; and

C. shall meet the requirements of the postsecondary vocational teacher education sequence in parts 3515.1400 to 3515.2000.

Option two: An applicant shall have completed 8,000 hours of occupational experience in an area related to occupational personal development other than education, and shall meet the requirements of the postsecondary vocational teacher education sequence in parts 3515.1400 to 3515.2000.

### 3700.0305 ACCOUNTING LICENSE.

Subpart 1. **May teach.** A teacher who has an accounting license may teach in the accounting and bookkeeping programs and may also teach courses in:

- A. accounting principles and procedures;
- B. bookkeeping principles and procedures;
- C. business law;
- D. ~~business and marketing mathematics~~ calculating machine operations;
- E. automated accounting;
- F. payroll;
- G. principles of economics;
- H. introduction to business;
- I. analyzing financial statements;
- J. ~~introduction to computers~~; and
- K. ~~J.~~ personal or individual income tax.

[For text of subs 2 to 5, see M.R.]

### 3700.0310 BOOKKEEPING CLERK LICENSE.

Subpart 1. **May teach.** A teacher who has a bookkeeping license may teach in the bookkeeping, bookkeeping clerk, accounting clerk, and microcomputer account specialist clerk programs, and may also teach courses in:

- A. bookkeeping principles and procedures;
- B. introduction to business ~~and marketing mathematics~~;
- C. calculating machines ~~machine~~ operations;
- D. automated bookkeeping; and
- E. payroll.

[For text of subs 2 to 5, see M.R.]

### 3700.0315 BANKING AND FINANCE OPERATIONS LICENSE.

Subpart 1. **May teach.** A teacher who has a banking and finance operations license may teach in the banking and finance operations program and may also teach courses in:

- A. analyzing financial statements;
- B. personal bank services;
- C. personal financial planning;

- D. negotiable instruments;
- E. principles of credit, collection, and insurance;
- F. business law;
- G. financial institution operations;
- H. ~~business math and machines~~ calculating machine operations;
- I. money handling techniques; and
- J. principles of economics.

[For text of subps 2 to 5, see M.R.]

### **3700.0325 BUSINESS OFFICE MANAGEMENT LICENSE.**

Subpart 1. **May teach.** A teacher who has a business office management license may teach in the business office management program and may also teach courses in:

- A. ~~business math and machines~~ calculating machine operations;
- B. business management principles;
- C. business law;
- D. customer relations;
- E. analyzing financial statements;
- F. ~~job keeping and seeking skills~~;
- ~~G.~~ principles of office management;
- ~~H.~~ G. principles of economics;
- ~~I.~~ H. small business operation;
- ~~J.~~ I. supervisory skills;
- ~~K.~~ J. time management; and
- ~~L.~~ K. personnel management; and
- ~~M.~~ introduction to computer operations.

[For text of subps 2 to 5, see M.R.]

### **3700.0330 ADMINISTRATIVE SUPPORT LICENSE.**

Subpart 1. **May teach.** A teacher who has an administrative support license may teach in the administrative support, clerk typist, office assistant, receptionist, word processing secretary, general secretary, administrative secretary, and clerical data entry programs and may also teach courses in:

- A. written and oral business communications;
- B. ~~business math and machines~~;
- ~~C.~~ job seeking and keeping skills calculating machine operations;
- ~~D.~~ C. keyboarding/typing;
- ~~E.~~ D. office management;
- ~~F.~~ E. office procedures;
- ~~G.~~ F. filing/indexing;
- ~~H.~~ G. machine transcription;
- ~~I.~~ H. bookkeeping principles;
- ~~J.~~ introduction to computers;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

---

- ~~K. I.~~ word processing; and
- ~~L. J.~~ records management.

[For text of subps 2 to 5, see M.R.]

### 3700.0335 MEDICAL SECRETARIAL LICENSE.

Subpart 1. **May teach.** A teacher who has a medical secretarial license may teach in the medical secretary, word processing secretary, clerk typist, receptionist, medical administrative secretary, general secretary, administrative secretary, office component/medical assistant, and clerical data entry programs and may also teach courses in:

- A. secretarial medical ethics and law;
- B. medical insurance forms;
- C. records management;
- D. medical terminology and shorthand;
- E. written and oral business communications;
- F. ~~business math and machines~~;
- G. ~~job seeking and keeping skills~~ calculating machine operations;
- H. ~~G.~~ keyboarding/typing;
- I. ~~H.~~ office management;
- J. ~~I.~~ office procedures;
- K. ~~J.~~ filing/indexing;
- L. ~~K.~~ machine transcription;
- M. ~~L.~~ bookkeeping principles;
- N. ~~introduction to computers~~; and
- O. ~~M.~~ word processing.

[For text of subps 2 to 5, see M.R.]

### 3700.0340 LEGAL SECRETARIAL LICENSE.

Subpart 1. **May teach.** A teacher who has a legal secretarial license may teach in the legal secretary, word processing secretary, clerk typist, receptionist, clerical data entry, legal administrative secretary, general secretary, and administrative secretary programs and may also teach courses in:

- A. machine transcription;
- B. legal terminology;
- C. legal word processing;
- D. written and oral business communications;
- E. ~~business math and machines~~;
- F. ~~job seeking and keeping skills~~ calculating machine operations;
- G. ~~F.~~ keyboarding/typing;
- H. ~~G.~~ office management;
- I. ~~H.~~ office procedures;
- J. ~~I.~~ filing/indexing;
- K. ~~J.~~ bookkeeping principles;
- L. ~~K.~~ business law;
- M. ~~introduction to computers~~; and
- N. ~~L.~~ word processing.

[For text of subps 2 to 5, see M.R.]

**3700.0350 PURCHASING AND INVENTORY MANAGEMENT LICENSE.**

Subpart 1. **May teach.** A teacher who has a purchasing or inventory management license may teach in the purchasing or inventory management program and may also teach courses in:

- A. ~~business math and machines~~ calculating machine operations;
- B. principles of economics;
- C. computer inventory control;
- D. business inventory control; and
- E. business principles.

[For text of subps 2 to 5, see M.R.]

**3700.0370 COMPUTER PROGRAMMING LICENSE.**

Subpart 1. **May teach.** A teacher who has a computer programming license may teach in the computer programming program and may also teach courses in:

- A. introduction to data processing;
- B. data processing management and supervision;
- C. general microcomputer operations;
- D. microcomputer programming and operations;
- E. management information systems;
- F. computer operating system concepts and skills;
- G. computer work station operations;
- H. data communications;
- I. computerized system analysis and design; and
- J. programming languages.

[For text of subps 2 to 5, see M.R.]

**3700.0375 COMPUTER OPERATIONS LICENSE.**

Subpart 1. **May teach.** A teacher who has a computer operations license may teach in the computer operations program and may also teach courses in:

- A. ~~supervision and management in computer operations~~;
- ~~B.~~ general microcomputer operations;
- ~~C.~~ introduction to computers;
- ~~D.~~ B. job control language;
- ~~E.~~ C. computer operating systems, concepts, and skills;
- ~~F.~~ D. computerized work station operations;
- ~~G.~~ E. data communications; and
- ~~H.~~ F. computer literacy.

[For text of subps 2 to 5, see M.R.]

**3700.0377 MICROCOMPUTER SUPPORT ~~SPECIALIST~~ AND NETWORK ADMINISTRATION.**

Subpart 1. **May teach.** A teacher who has a microcomputer support ~~specialist~~ and network administration license may teach in the microcomputer support ~~specialist~~ and network administration program and may also teach courses in:

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

- A. microcomputing operating system/concepts and skills; and
- B. introduction to microcomputing.

[For text of subps 2 to 5, see M.R.]

### **3700.0381 COMPUTER PROGRAMMING; COMPUTER OPERATIONS.**

An applicant holding a postsecondary technical college continuous program license in computer programming or computer operations may apply for a license in microcomputer support and network administration under the following conditions:

A. the applicant has a certificate of completion in BMES390 Special Topics in Technical Updating: Advanced Microcomputing Technology, from the University of Minnesota, Business and Marketing Division; and

B. application is made to the licensing section of the State Board of Technical Colleges within two years after completing the course described in item A.

**LICENSE TRANSFER.** A person who at the time of the repeal of *Minnesota Rules*, part 3700.0320 is holding a license issued under part 3700.0320, may continue to use the license and the license is fully effective until the time for renewal of the license. At the time for renewal, the renewal must be issued according to part 3700.0315, Banking and Finance Operations.

**REENACTMENT AND VALIDATION.** *Minnesota Rules*, parts 3515.5700, 3515.5900, 3515.6000, 3515.6100, 3515.6200, and 3515.6700 are reenacted effective March 18, 1990, to be continuously in effect. Licenses issued since the effective date of the reenactment are fully effective from the date of their issuance.

**REPEALER.** *Minnesota Rules*, parts 3515.5050, 3515.6000, and 3700.0320, are repealed. *Minnesota Rules*, part 3700.0381, is repealed June 30, 1993.

## Adopted Rules

The adoption of a rule becomes effective after the requirements of Minn. Stat. §14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. §14.33 and upon the approval of the Revisor of Statutes as specified in §14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under §14.18.

## Department of Labor and Industry

### Adopted Permanent Rules Relating to Power Piping Systems

The rules proposed and published at *State Register*, Volume 15, Number 8, page 450, August 20, 1990 (15 SR 450); Volume 15, Number 19, pages 1053-1055, November 5, 1990 (15 SR 1053); and Volume 15, Number 35, page 1875, February 25, 1991, (15 SR 1875), are adopted as proposed.

## Department of Natural Resources

### Adopted Permanent Rules Relating to Waters, Watercraft Speed Limit Zones

The rules proposed and published at *State Register*, Volume 15, Number 34, pages 1802-1803, February 19, 1991 (15 SR 1802) are adopted as proposed.

# Emergency Rules

## Proposed Emergency Rules

According to Minn. Stat. of 1984, §§14.29-14.30, state agencies may propose adoption of emergency rules if: 1) expressly required; 2) authorized by statute; or 3) if the manner permitted by a directive (given by statute, federal law or court order) does not allow for compliance with sections 14.14-14.28. The agency must, however, publish a notice of intent to adopt emergency rules, along with the rules themselves, in the *State Register*. The notice must advise the public:

- 1) that a free copy of the proposed emergency rule is available upon request from the agency;
- 2) that notice of the date that the rule is submitted to the attorney general will be mailed to persons requesting notification;
- 3) that the public has at least 25 days after publication of the proposed emergency rule to submit data and views in writing; and
- 4) that the emergency rule may be modified if the data and views submitted support such modification.

## Adopted Emergency Rules

Emergency rules take effect five working days after approval by the attorney general, and after compliance with Minn. Stat. §§14.29-14.365. As soon as possible, emergency rules are published in the *State Register* in the manner provided for in section 14.18.

Emergency rules are effective for the period stated in the notice of intent to adopt emergency rules. This may not exceed 180 days.

## Continued/Extended Emergency Rules

Adopted emergency rules may be continued in effect (extended) for an additional 180 days. To do this, the agency must give notice by: 1) publishing notice in the *State Register*; and 2) mailing the same notice to all persons who requested notification on rulemaking. No emergency rule may remain in effect 361 days after its original effective date. At that point, permanent rules adopted according to Minn. Stat. 14.14-14.28 supercede emergency rules.

# Department of Jobs and Training

## Proposed Emergency Rules Relating to Vocational Rehabilitation Services

### Notice of Intent to Adopt Emergency Rules

**NOTICE IS HEREBY GIVEN** that the State Department of Jobs and Training intends to adopt the above-entitled emergency rules. The statutory authority to adopt emergency rules is contained in *Minnesota Statutes*, section 268.021. The department, in adopting these emergency rules, is following the procedures for adopting emergency rules set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.29 through 14.36.

All persons have 25 days after publication to submit written data and views on the proposed emergency rules or any part or subpart of the rules. Any comments must be submitted to: Duane Sermon, Client Support Services, 5th Floor, 390 North Robert Street, St. Paul, Minnesota 55101 (612) 296-5634.

A copy of the proposed rules is attached to this notice. A free copy of the proposed rules is available by contacting Duane Sermon.

The proposed rules may be modified if the modifications are supported by the data and views submitted to the department and do not result in a substantial change in the proposed emergency rules as noticed.

Upon adoption of the emergency rules by the department, the emergency rules as adopted and all supporting documents will be delivered to the Attorney General for review as to legality and form to the extent form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General or who wish to receive a copy of the adopted rules, must submit a written request to Duane Sermon.

The emergency rules will take effect five working days after approval by the Attorney General and be effective for 180 days. The emergency rules will be continued in effect for an additional 180 days if the department gives notice of continuation in accordance with *Minnesota Statutes*, section 14.35.

R. Jane Brown  
Commissioner of Jobs and Training

### Rules as Proposed (all new material)

#### GENERAL

#### 3335.0010 [Emergency] PURPOSE AND SCOPE.

Subpart 1. **Purpose.** The purpose of parts 3335.0010 to 3335.0030 [Emergency] is to establish procedures and standards for

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Emergency Rules

determining when the Division of Rehabilitation Services will pay for training costs to reduce student loans offered to individuals to assist in meeting the costs of training at postsecondary institutions.

Subp. 2. **Scope.** Parts 3335.0010 to 3335.0030 [Emergency] apply to the Division of Rehabilitation Services (DRS) and all individuals for whom it has been determined by a rehabilitation counselor that postsecondary training is necessary to achieve the goals identified in the individualized written rehabilitation program for the individual. Parts 3335.0010 to 3335.0030 [Emergency] do not require expenditures for individuals if funds are not available to DRS from federal and state appropriations for the provision of vocational rehabilitation services.

### 3335.0020 [Emergency] DEFINITIONS.

Subpart 1. **Scope.** For purposes of parts 3335.0010 to 3335.0030 [Emergency], the terms in subparts 2 to 12 have the meanings given them.

Subp. 2. **Disability-related extra costs.** "Disability-related extra costs" means those recurring increased living expenses for an individual that an individual will incur during postsecondary training and that result from the individual's disability, such as, but not limited to, prescription drugs, special diets, special housing, adaptive equipment, or special transportation.

Subp. 3. **Division of rehabilitation services or DRS.** "Division of Rehabilitation Services" or "DRS" means the organizational unit of the Department of Jobs and Training responsible for providing and coordinating the provision of vocational rehabilitation services to individuals with disabilities, except for individuals served by State Services for the Blind and Visually Handicapped. For purposes of the vocational rehabilitation program, Division of Rehabilitation Services or DRS is the state unit as defined in Code of Federal Regulations, title 34, section 361.6(b).

Subp. 4. **Federal poverty level income.** "Federal poverty level income" means the most recent poverty income guidelines. The guidelines are the annual update of the HHS Poverty Income Guidelines published annually in the Federal Register by the United States Department of Health and Human Services and are incorporated by reference. The guidelines are changed annually in February and are available at the state law library and through any Minnesota public library.

Subp. 5. **Financial aid application.** "Financial aid application" means forms used to apply for need-based financial aid from the federal government, state agencies, postsecondary institutions, and programs other than the DRS vocational rehabilitation program to meet the costs of postsecondary training.

Subp. 6. **Financial aid officer.** "Financial aid officer" means a member of the staff of a postsecondary institution responsible for analyzing student financial need and developing and awarding student financial aid packages.

Subp. 7. **Financial aid package.** "Financial aid package" means the estimate prepared by the financial aid officer of the total amount of need-based financial aid a student is offered from grant, loan, and work-study funds to meet the costs of postsecondary training.

Subp. 8. **Individual.** "Individual" means a person who has been determined eligible for and is receiving services under the vocational rehabilitation program, a person who is receiving vocational rehabilitation services under a plan of extended evaluation to determine if the person is eligible, or a person who has requested vocational services individually or through that person's representative.

Subp. 9. **Need-based financial aid.** "Need-based financial aid" means funds offered to a student or prospective student at a postsecondary institution to help meet that student's educational expenses. These funds are offered after the financial aid officer has estimated both the amount of the student's educational expenses and the ability of the student and the student's family to contribute to those educational expenses.

Subp. 10. **Ongoing expenses resulting from the individual's disability.** "Ongoing expenses resulting from the individual's disability" means those recurring increased living costs, or ongoing debt repayment costs, for an individual, after an individual completes postsecondary training, that occur because of the individual's disability, such as, but not limited to, payments for: personal care attendants, special transportation expenses, or medical services not covered by private or public health insurance programs.

Subp. 11. **Postsecondary institution.** "Postsecondary institution" means an accredited university, college, community college, junior college, business college, technical college, trade school, or vocational-technical school.

Subp. 12. **Rehabilitation counselor.** "Rehabilitation counselor" means a person who is employed by DRS to determine eligibility for services, provide vocational counseling and diagnosis, and provide and coordinate other vocational rehabilitation services.

### 3335.0030 [Emergency] REPLACEMENT OR REDUCTION OF STUDENT LOANS.

Subpart 1. **Application for financial aid.** As a prerequisite for DRS financial participation in the costs of postsecondary training, each individual for whom it has been determined by a rehabilitation counselor that postsecondary training is necessary shall, to the extent that financial aid is available, apply for need-based financial aid from the institution the individual plans to attend. The financial aid application must be made in a timely manner and must be in accordance with the postsecondary institution's policies and procedures. On the financial aid application forms, the individual shall apply to be considered for student loans as part of the financial aid package.

to assist in paying part of the costs of postsecondary training. If the individual does not apply to be considered for student loans, DRS will not be able to determine the extent of its participation in the costs of postsecondary training.

**Subp. 2. Communication with financial aid officer.** The rehabilitation counselor and the individual shall prepare a communication identifying any additional needs and related costs that will be required to meet the individual's disability-related extra costs in order to receive the training requested. The rehabilitation counselor shall also indicate whether the individual can be expected to work during the school year. The rehabilitation counselor shall send this communication to the financial aid officer. The individual shall provide the rehabilitation counselor with a copy of the financial aid package developed for the individual if a copy has not been provided by the financial aid officer.

**Subp. 3. Basis for reduction of amount of student loan.** If the financial aid package includes a need-based student loan, DRS may pay tuition or other training costs to reduce all or part of the amount of the student loan. Any DRS payments for such costs shall be limited to amounts that will not replace or jeopardize the individual's receipt of assistance from other public programs for which the individual is eligible. The amount of reduction will be made by the rehabilitation counselor on the basis of information supplied by the individual, or the individual's parent, guardian, or representative, indicating that one or more of the following factors exist:

A. The individual will not be able to work during the school year, due to limitations resulting from the individual's disability.

B. There is a reasonable expectation that the individual will not be able to repay all of the student loan after completing postsecondary training, because:

(1) the individual will have ongoing expenses resulting from a disability, or from the disability of the individual's spouse;

or

(2) the individual will be unable, due to limitations resulting from the individual's disability, to earn sufficient income to repay the student loan after completing postsecondary training.

**Subp. 4. Reduction of need-based student loan due to inability to work during school year.** When the criterion described in subpart 3, item A, is met, the rehabilitation counselor shall reduce the amount of the student loan by an amount equal to the portion of the loan in the financial aid package resulting from the inability to work during the school year. If the loan portion resulting from the inability to work during the school year is not known, the amount of the reduction shall not exceed the amount of the average work-study award in financial aid packages at the postsecondary institution to which the individual is applying. This reduction shall be made before determining whether to make reductions due to the existence of the factors described in subpart 3, item B.

**Subp. 5. Reduction of student loan due to inability to repay because of disability.** If one or both of the factors listed in subpart 3, item B, exists, the rehabilitation counselor shall determine the amount, if any, of the reduction of the student loan, on the basis of an analysis of the factors in items A to F.

A. The rehabilitation counselor shall determine the individual's anticipated annual household income after completion of postsecondary training. This determination shall be based on information on entry-level earnings for the individual, from the Occupational Outlook Handbook or Minnesota Salary Survey by Area. The Occupational Outlook Handbook is published every two years in April by the United States Department of Labor, Bureau of Labor Statistics. It is incorporated by reference and is available through any Minnesota public library. The Minnesota Salary Survey by Area is published once a year in August by the Minnesota Department of Jobs and Training, Research and Statistics Office. It is incorporated by reference and is available at the Legislative Reference Library and through any Minnesota public library. This determination shall also be based on anticipated earnings of the individual's spouse. The anticipated annual household income shall be reduced appropriately if the rehabilitation counselor determines that the individual will be unable to work full time due to the individual's disability.

B. The rehabilitation counselor shall determine the individual's anticipated annual after-tax household income. This determination shall be made by deducting the appropriate estimated state and federal taxes and Social Security contributions from the individual's anticipated annual household income, using tax estimate tables. The tables are the Hypothetical Income Tax Burdens Under Current Minnesota Law, maintained and updated annually by the Minnesota Department of Revenue, Tax Research Division. The tables are incorporated by reference, and are available at the state law library.

C. If the criterion in subpart 3, item B, subitem (1), is met, the rehabilitation counselor shall determine the average annual amount of any ongoing expenses resulting from the individual's disability, or the disability of the individual's spouse, after the individual completes postsecondary training. The rehabilitation counselor shall subtract this amount from the result obtained from the calculations described in item B.

D. The rehabilitation counselor shall determine whether the individual can be anticipated to have funds available to repay student loans. Funds available to repay student loans shall be the amount, if any, by which the individual's anticipated household income, after any reductions described in items A to C, exceeds 200 percent of the federal poverty level income for the individual's family size.

E. The rehabilitation counselor shall determine the estimated annual student loan payment amount for the individual. This

## Emergency Rules

---

---

amount shall be based on the total of the student loans the individual has incurred to date, plus the amount of the student loan offered in the financial aid package for the coming school year.

F. The rehabilitation counselor shall compare the funds available to repay student loans, determined as described in item D, with the estimated annual student loan payment amount, determined as described in item E, in order to determine whether the individual's anticipated income after completion of postsecondary training is sufficient to permit repayment of student loans.

If the individual's anticipated household income after completion of postsecondary training is sufficient to permit repayment of the student loans and to permit payment of the expenses described in items B and C, the rehabilitation counselor shall not reduce the amount of the student loan.

If, due to limitations resulting from the individual's disability, the individual's anticipated income after completion of postsecondary training is not sufficient to permit repayment of the student loans and to permit payment of the expenses described in items B and C, the rehabilitation counselor shall reduce the amount of the student loan to an amount which the rehabilitation counselor's analysis determines the individual will be able to repay.

If the rehabilitation counselor determines that, due to limitations resulting from the individual's disability, the individual will not be able to repay a student loan of any amount, the rehabilitation counselor shall replace the entire amount of the student loan.

## Official Notices

---

---

Pursuant to the provisions of Minnesota Statutes § 14.10, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

---

## Department of Administration

### Print Communications Division—Minnesota's Bookstore

#### Announcing the 1991 *Minnesota Rules*

The 1991 *Minnesota Rules*, 11 volume set, are now at the printer. We anticipate delivery from the printer the first part of June, 1991. The price has been set at \$200.00 + \$12.00 sales tax (MINNESOTA RESIDENTS ONLY). Place your order now for June shipment.

With your purchase of the 1991 *Minnesota Rules* you will automatically receive the 1992 Supplement when it becomes available next year.

Individual volumes of the 1991 *Minnesota Rules* can be purchased at \$20.00 + \$1.20 sales tax (MN RESIDENTS ONLY).

The State of Minnesota requires **prepayment**. To order your 1991 *Minnesota Rules* just remit payment payable to the "STATE OF MINNESOTA" along with the attached order blank.

State of Minnesota Dept of Administration  
Print Communications—Minnesota's Bookstore  
117 University Avenue  
St. Paul, MN 55155

If you have any questions please contact Debbie George, Circulation Manager, 612-296-0931.

## Ethical Practices Board

### Advisory Opinion #109 Regarding Lobbyist Disclosure

Issued 4-26-91 to Timothy P. Flaherty—SUMMARY—109.

Lobbyist registration and reporting laws as amended in 1990 and effective January 1, 1991, require the attribution and disclosure of certain costs of research related to attempts to influence legislative, administrative, and metropolitan governmental unit action.

## Ethical Practices Board

### Request for Advisory Opinion Regarding Local Officials

The Ethical Practices Board solicits comments regarding the following request for an advisory opinion received from Jane A. McPeak, St. Paul City Attorney. Written comments should arrive at the Board office, 625 N. Robert St., St. Paul, MN 55101, prior to May 29, 1991, for consideration at the Board's meeting of June 6, 1991.

**May 2, 1991**—With Mayor Scheibel's approval please accept this request for an advisory opinion from the Ethical Practices Board. The concerns are caused by the changes made in *Minnesota Statutes* 10A in the 1990 Legislature.

The City of Saint Paul is concerned about two areas. Our first concern is about the application of the statute to the City of Saint Paul and its employees and the possible need for registration and reporting of activity that appears to fall within the purview of the statute as lobbying activity. Our second concern is the apparent burden the statute creates on those members of the public who deal with the City of Saint Paul on a daily basis, and the burden created for the City in tracking the registration of these persons.

The concerns are rooted in the seemingly overbroad definition of lobbying and local government official contained in the statute. The plain language of the statute could mean that dozens of City employees could be "lobbyists" if they interact with other units of government in the routine course of their duties of providing service to the City's taxpayers. An example would be City Public Works Department officials who meet with representatives of the Metropolitan Waste Control Commission to discuss various aspects of the City's sewer separation project. If the statute is strictly construed and enforced these employees face the risk of prosecution if they fail to register as a lobbyist, and the City faces a problem if it fails to adequately report the expenses incurred in their effort.

The definition of "local government official" also appears overly broad, and raises questions about how the 'lobbyist' is to know when he or she is in contact with a "local government official."

The definition does not limit the application to elected officials. Again a strict application of the statute would require that anyone who contacts a municipal employee would first have to question that employee on their position in the chain of authority to determine if the employee is in a position to recommend a course of action on the specific subject involved. Then questions would have to be asked on how important the matter is, since there must be a decision on whether the matter is a "major decision."

While your Advisory Opinion 108 as published allows the municipality to define who is a "local official," in my opinion that still does not solve the problems I have noted. Without making inquiry a person who is talking to a public employee does not know whether that person is a designated "local official," and therefore doesn't know whether the expenses incurred as part of that contact need to be tracked and reported. Your opinion may allow the City of Saint Paul to shorten the list of "local officials," but that does little to solve the major problems this legislation has created.

Finally, there exists the possibility that a very large number of persons who come in contact with the City will fall within the purview of the definition of "lobbyist" and face the necessity of registration and reporting expenses. Virtually everyone who appears before the City Council falls within the definition, from homeowners appealing an assessment or their lawyer representatives, to persons seeking a rezoning, or involved in a development project. Literally dozens of people a week exercise their right to seek redress from the government. Each person feels that his or her matter involves a 'major decision.' Each person could easily run afoul of the statute.

It would appear that the depth to which this statute could apply to City government was not considered when the current language was drafted. The expense to the city of trying to identify affected employees, track, and report their activities would be immense. The expense of compliance by persons who interact with the City would also be considerable. Finally, the burden imposed on the City to somehow take the information supplied by these individuals and put it to any meaningful use, or make it available, is very significant and must be taken into account.

The fact that the EPB, yourself, and your staff have attempted to clarify the statute is appreciated. Clearly you have been asked to perform an impossible task, particularly when one realizes that you have only been given \$20,000 to accomplish the enforcement of this statute. It is clear to all involved that complete compliance will require a Herculean effort.

Thus our questions to the Board are:

1. What enforcement do you intend to take with respect to the portions of the statute that create a duty by government employees who do not function as lobbyists in the more traditional sense?
2. What enforcement do you intend to take with respect to persons who have contact with local government officials, or what enforcement efforts or assistance do you expect from the local units of government.
3. What steps are going to be taken to clarify the statute, hopefully to limit the application of it with respect to the problems noted above?

Thank you for your anticipated cooperation in providing this advice to the City of Saint Paul. Until we have had the opportunity to review your response it is our position that compliance is impossible.

## Department of Public Service

### Energy Division

#### Notice of Intent to Solicit Outside Opinion Regarding the Minnesota Energy Code

**NOTICE IS HEREBY GIVEN** that the State Department of Public Service is seeking information or opinions from sources outside the agency in preparing proposed amendments to *Minnesota Rules* Chapter 7670 governing building design and construction standards regarding heat loss control, illumination and climate control within the State Building Code. The adoption of this rule is authorized by *Minnesota Statutes*, section 216C.19 subdivision 8.

Interested persons or groups may submit data or views on the subject of concern in writing or orally. Written statements should be addressed to:

Bruce D. Nelson, Senior Engineer  
Department of Public Service, Energy Division  
150 East Kellogg Blvd. #790  
St. Paul, MN 55101  
Telephone (612) 297-2313  
Fax (612) 297-1959

Oral statements will be received during regular business hours by telephone and in person at the above address.

All statements of information and opinions will be accepted until May 1, 1992. Any written material received by the agency shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 7 May 1991

Krista L. Sanda, Commissioner  
Department of Public Service

## Office of the Secretary of State

#### Notice of Vacancies in Multi-Member Agencies

**NOTICE IS HEREBY GIVEN** to the public that vacancies have occurred in multi-member state agencies, pursuant to *Minnesota Statutes* 15.0597, subdivision 4. Application forms may be obtained from the Office of the Secretary of State, Open Appointments, 180 State Office Building, St. Paul, MN 55155-1299; (612) 297-5845, or in person at Room 174 of the State Office Building. More specific information about these vacancies may be obtained from the agencies listed below. The application deadline is June 11, 1991.

##### **Medical Malpractice Joint Underwriting Association (MMJUA)**

Dept. of Commerce, 133 E. 7th St., St. Paul 55101. 612-297-4634  
*Minnesota Statutes* 62F

**APPOINTING AUTHORITY:** Commissioner of Commerce/Governor. **COMPENSATION:** A per diem plus expenses.

**VACANCY:** Six members: three health care providers and three public members.

The board provides medical malpractice insurance coverage to any licensed health care provider unable to obtain this insurance through ordinary methods. The board consists of eleven members including three public members appointed by the governor, three health care providers appointed by the commissioner of Commerce, and five members elected by members of the association. Every personal injury liability insurer in the state shall be a member as a condition for obtaining and retaining a license to write insurance in Minnesota.

##### **Minnesota Property Insurance Placement Facility**

Dept. of Commerce, 133 E. 7th St., St. Paul 55101. 612-296-4026  
*Minnesota Statutes* 65A.35

**APPOINTING AUTHORITY:** Commissioner of Commerce. **COMPENSATION:** \$35 per diem plus expenses.

**VACANCY:** One public member.

The board administers the Fair-Plan Act to make property or liability (including homeowners and commercial multiperil) insurance available statewide. The board consists of nine members including five elected insured members, and four additional members, including at least three public members. Three-four meetings per year.

**Minnesota Workers Compensation Insurers' Association (Rating Association)**

7760 France Ave. S., Suite 640, Mpls. 55435. 612-897-1737

*Minnesota Statutes 79.61*

APPOINTING AUTHORITY: Commissioner of Commerce. COMPENSATION: Reimbursement for expenses.

VACANCY: Two members: employer representatives. This corrects the previous announcement of April 29, 1991.

The association oversees the administration of the Minnesota Workers Compensation Insurers' Association (Rating Association). The membership includes twelve members of whom two are employer representatives. Quarterly meetings.

**Market Development Coordinating Council**

Minnesota Office of Waste Management, 1350 Energy Lane, St. Paul 55108. 612-649-5750

*Minnesota Statutes 115A.12(1)*

APPOINTING AUTHORITY: Office of Waste Management. COMPENSATION: Expenses.

VACANCY: Two members: members are to provide representation from local government units, private recycling markets, or private recycling collectors.

The council develops and coordinates statewide strategy for developing markets for recyclable materials and advises the Office of Waste Management on expenditure of Market Development funds. The council consists of not less than nine nor more than eighteen members: one representative each from the Department of Trade and Economic Development, Department of Administration, Pollution Control Agency, Greater Minnesota Corporation, Metropolitan Council, Legislative Commission on Waste Management; also representation from local government, private recycling markets and collectors. Monthly meetings at the Office of Waste Management in St. Paul.

**Minnesota Automobile Assigned Claims Bureau**

6625 Lyndale Ave. S., #200, Richfield 55423. 612-798-4020

*Minnesota Statutes 65B.63*

APPOINTING AUTHORITY: Governor. COMPENSATION: None.

VACANCY: Two public members.

The committee shall govern the operations of the Minnesota Auto Assigned Claims Plan in providing no-fault basic economic loss benefits to eligible recipients as provided under *Minnesota Statutes 65B.64*. The committee consists of seven members of which two are public members. Meetings scheduled bi-ennially in even-numbered years in the Twin Cities area.

**Gambling Control Board**

Dept. of Gaming, Gambling Control Division, 1711 W. Co. Rd. B, Roseville 55113. 612-639-4000

*Minnesota Statutes 349.151*

APPOINTING AUTHORITY: Governor, with advice and consent of the senate. COMPENSATION: \$55 per diem plus expenses.

VACANCY: Two members: no more than three members on this board may be from the same political party.

The board issues, suspends and revokes licenses of organizations, bingo halls, distributors and manufacturers of gambling equipment, registers gambling equipment, collects license fees and inspects records, conducts hearings to insure integrity of operations and compliance with all applicable laws and rules. The board consists of six members, no more than three members from the same political party. Meeting schedule and location not determined.

**Minnesota Municipal Board**

165 Metro Square Bldg., St. Paul 55101. 612-296-2428

*Minnesota Statutes 414.01*

APPOINTING AUTHORITY: Governor. COMPENSATION: \$50 per diem plus expenses for public members.

VACANCY: One member: a resident of Minnesota for at least five years prior to appointment.

The board acts on all boundary adjustments between a city and the adjacent land, and rules on incorporations of cities. The board consists of three members of whom at least one must be learned in the law, and one must be a resident from outside the metropolitan area. Monthly meetings and numerous hearings. Members must file with the Ethical Practices Board.

**Mortuary Science Advisory Council**

717 Delaware St. S.E., Mpls. 55440. 612-623-5491

*Minnesota Statutes 149.02 as amended by Laws of 1989, Chapter 282*

APPOINTING AUTHORITY: Commissioner of Health. COMPENSATION: \$55 per diem plus expenses.

VACANCY: One member: Must be a senior citizen and public person having no license or connection with funeral service.

The council licenses and regulates morticians and funeral directors; inspects and registers funeral facilities; advises the commissioner

## Official Notices

---

of Health in the implementation of mortuary science law and rules of the commissioner, and sits as a panel on disciplinary matters. The council consists of five members, including two public members, two licensed morticians, and a full-time staff member of the Department of Mortuary Science at the University of Minnesota. Bi-monthly meetings at the Dept. of Health. The University of Minnesota staff member does not receive a per diem or expenses.

### **State Advisory Council on Mental Health**

444 Lafayette Rd., St. Paul 55155-3828. 612-297-4164

*Minnesota Statutes* 245.697

**APPOINTING AUTHORITY:** Governor. **COMPENSATION:** \$55 per diem. Reimbursed for expenses.

**VACANCY:** One member: to provide representation of family members of persons with mental illness.

The council advises the governor, the legislature, and state agency heads about policy, programs, and services affecting people with mental illness. Thirty members include commissioner designees from the Departments of Education, Corrections, Vocational Rehabilitation, and the Housing Finance Agency, one representative in the state agency responsible for the state's Title XIX program, one member from each of the four core mental health professional disciplines (psychiatry, psychology, social work, nursing); one representative from each of the following advocacy groups: Mental Health Association of Minnesota, Minnesota Alliance for the Mentally Ill, Minnesota Mental Health Law Projects; providers of mental health services, consumers of mental health services, family members of persons with mental illnesses, legislators, social service agency directors, county commissioners, and other members reflecting a broad range of community interest.

### **Subcommittee on Children's Mental Health**

444 Lafayette Rd., St. Paul 55155-3828. 612-297-4164

*Laws of 1988*, Chapter 689

**APPOINTING AUTHORITY:** Chairman, State Advisory Council on Mental Health. **COMPENSATION:** \$55 per diem plus expenses.

**VACANCY:** Two members: one representative from a juvenile community corrections agency, one representative of Minnesota district judges association juvenile committee.

The subcommittee must make recommendations to the advisory council on policies, law, regulations, and services relating to children's mental health. Members include: commissioners or designees of Department of Commerce, Corrections, Education, Health, Human Services, Finance, and State Planning; one member children's mental health advocacy group, three service providers (preadolescent, adolescent, and hospital-based), parents of emotionally disturbed children; a consumer of adolescent mental health services; educators currently serving emotionally disturbed children; people who worked with emotionally disturbed minority children, or with emotionally disturbed juvenile statue offenders; social service representatives; county commissioners; advisory council members; one representative of the local corrections system; and one representative from the Minnesota District Judges Association juvenile committee. Meeting schedule not determined.

### **Medical Services Review Board**

Dept. of Labor and Industry, Rehabilitation & Medical Affairs, 443 Lafayette Rd., St. Paul 55155. 612-296-8213

*Minnesota Statutes* 176.103

**APPOINTING AUTHORITY:** Commissioner of Labor and Industry. **COMPENSATION:** \$55 per diem plus expenses.

**VACANCY:** One labor representative.

The board advises on medical matters relating to workers compensation and hears appeals under Chapter 14. Members include two chiropractic members, one hospital administration member, six physician members, one employee member, one employer member, and one public member plus eight alternates. The commissioner or his designee serves as an ex-officio member. Members must file with the Ethical Practices Board.

### **Pollution Prevention Task Force**

Minnesota Office of Waste Management, 1350 Energy Lane, St. Paul 55108. 612-649-5750

*Minnesota Statutes* 15.014

**APPOINTING AUTHORITY:** Director, Office of Waste Management. **COMPENSATION:** None.

**VACANCY:** One member: industrial experience and knowledge of pollution prevention.

The task force shall act in an advisory capacity on matters related to the Minnesota Toxic Pollution Prevention Act. The Act, passed by the 1990 Legislature, declares that it is the policy of the state to encourage toxic pollution prevention. The task force will be involved in several programs to reduce, or eliminate at the source, the use, generation, or release of toxic pollutants. The task force consists of fifteen members with representation from the following groups: (1) industry; (2) citizens; (3) government representatives involved in pollution prevention activities. Monthly meetings to occur at the Office of Waste Management in St. Paul.

**Hazardous Waste Management Planning Council**

1350 Energy Lane, St. Paul 55108. 612-649-5750

*Minnesota Statutes 115A.12***APPOINTING AUTHORITY:** Office of Waste Management. **COMPENSATION:** Reimbursed for expenses.**VACANCY:** One member: industrial background and knowledge of hazardous waste issues.

The council makes recommendations to the Office of Waste Management on industrial waste management planning, waste management facility development, and industrial waste reduction issues and programs. The council may have up to eighteen members and includes public members, representatives of local government units, hazardous waste generators and private hazardous waste management firms. Meetings once a month.

**American Indian Advisory Task Force on Indian Child Welfare**

Dept. of Human Services, 444 Lafayette Rd., 3rd Floor, St. Paul 55155-3822. 612-297-2710

*Minnesota Statutes 257.3579***APPOINTING AUTHORITY:** Commissioner of Human Services. **COMPENSATION:** Travel expenses.**VACANCY:** Six members from urban American Indian communities: one from Duluth, two from St. Paul, and three from Minneapolis.

The task force assists the commissioner in formulating policies and procedures relating to American Indian child welfare services and to make recommendations regarding approval of American Indian child welfare grants. Six representatives from the urban American Indian communities include one member from Duluth, two members from St. Paul and three members from Mpls. Approximately six to eight meetings per year held in various statewide locations.

**Metropolitan Council**

Mears Park Centre, 230 E. Fifth St., St. Paul 55101. 612-291-6390

*Minnesota Statutes 473.123***APPOINTING AUTHORITY:** Governor. Senate confirmation. **COMPENSATION:** \$50 per diem plus expenses.**VACANCY:** One member: must be a resident from Metropolitan Council District 11.

The council coordinates planning and development of the seven-county metro area and establishes policies for regional transportation, sewer, airports, parks, human services and housing systems. The council consists of seventeen members including sixteen members selected from districts of equal population, and a chair representing the metro area at large. The chair serves at the pleasure of the governor. Members cannot hold elected public office and must reside in the council district he or she represents. Meetings are usually twice a week, for a commitment of approximately 20 hours a week. Members must file with the Ethical Practices Board.

**Teachers Retirement Association****Notice of Regular Meeting**

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Wednesday, June 12, 1991, at 9:30 a.m., in Suite 500, Gallery Building, 17 W. Exchange Street, St. Paul, MN to consider matters which may properly come before the Board.

**State Board of Technical Colleges****Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules Governing the Rules for Licensure of Postsecondary Technical Education Personnel**

**NOTICE IS HEREBY GIVEN** that the State Board of Technical Colleges is seeking information or opinions from sources outside the agency in preparing to amend Chapter Thirty-Five: Rules for Licensure of Vocational Technical Education Personnel and specifically in Dental Assisting, Research and Development, and Supervisory Management. The adoption of these rules is authorized by *Minnesota Statutes* § 136C.04, subd. 9. and 125.185 subd. 4.

The State Board of Technical Colleges requests information and comments concerning the subject matter of these rules. Interested or affected persons may submit written statements of information or comment orally. Written comments should be addressed to:

Ms. Glenda Moyers  
State Board of Technical Colleges  
100 Capitol Square Bldg.  
550 Cedar Street  
St. Paul, MN 55101  
(612) 296-0679

Ms. Georgia Pomroy  
State Board of Technical Colleges  
100 Capitol Square Bldg.  
550 Cedar Street  
St. Paul, MN 55101  
(612) 296-0680

## Official Notices

Oral statements will be received during regular business hours over the telephone at (612) 296-0680 or in person at the above address.

All statements of information and comments shall be accepted until 4:30 p.m. Thursday, June 20, 1991. Any written material received by the State Board of Technical Colleges shall become part of the record to be submitted to the Attorney General or Administrative Law Judge in the event the rule is adopted.

Helen Henrie, Deputy Chancellor  
State Board of Technical Colleges

## State Contracts and Advertised Bids

Pursuant to the provisions of Minn. Stat. § 14.10, an agency must make reasonable effort to publicize the availability of any services contract or professional and technical services contract which has an estimated cost of over \$2,000.

Commodities contracts with an estimated value of \$15,000 or more are listed under the Materials Management Division, Department of Administration. All bids are open for 7-10 days before bidding deadline. For bid specifics, time lines, and other general information, contact the appropriate buyers whose initials appear in parentheses next to the commodity for bid, by calling (612) 296-6152.

Awards of contracts and advertised bids for commodities and printing, as well as awards of professional, technical and consulting contracts, appear in the midweek STATE REGISTER Contracts Supplement, published every Thursday. Call (612) 296-0931 for subscription information.

## Materials Management Division—Department of Administration:

### Contracts and Requisitions Open for Bid

Call 296-2600 for information on a specific bid, or to request a specific bid.

**Commodity:** Soil pressure cells—rebid  
**Contact:** Joan Breisler 296-9071  
**Bid due date at 2pm:** May 22  
**Agency:** Transportation Department  
**Deliver to:** Maplewood  
**Requisition #:** 79050-26866

**Commodity:** Move of Oak Terrace  
**Contact:** Joan Breisler 296-9071  
**Bid due date at 2pm:** May 28  
**Agency:** Human Services Department  
**Deliver to:** St. Paul  
**Requisition #:** 55520-04760

**Commodity:** Armored car service  
**Contact:** Joyce Dehn 297-3830  
**Bid due date at 2pm:** June 6  
**Agency:** Community Colleges  
**Deliver to:** Metro Area  
**Requisition #:** Price contract

**Commodity:** 15 passenger van B-350  
**Contact:** Brenda Thielen 296-9075  
**Bid due date at 2pm:** May 23  
**Agency:** Corrections Department  
**Deliver to:** St. Paul  
**Requisition #:** 78500-26560

**Commodity:** Penetrant sealer  
**Contact:** Joan Breisler 296-9071  
**Bid due date at 4:30pm:** May 28  
**Agency:** Transportation Department  
**Deliver to:** Rochester  
**Requisition #:** 79600-04353

**Commodity:** Copier  
**Contact:** Joan Breisler 296-9071  
**Bid due date at 4:30pm:** May 24  
**Agency:** Natural Resources Department  
**Deliver to:** Brainerd  
**Requisition #:** 29003-01289-01

**Commodity:** 15 passenger van V-10m90  
**Contact:** Brenda Thielen 296-9075  
**Bid due date at 2pm:** May 23  
**Agency:** Human Services Regional Treatment Center  
**Deliver to:** Willmar  
**Requisition #:** 55106-07648

**Commodity:** Expansion pressure device  
**Contact:** Pamela Anderson 296-1053  
**Bid due date at 4:30pm:** May 28  
**Agency:** Transportation Department  
**Deliver to:** Maplewood  
**Requisition #:** 79000-14519

**Commodity:** Truck lamps, lenses, etc.  
**Contact:** Dale Meyer 296-3773  
**Bid due date at 2pm:** May 28  
**Agency:** Transportation Department  
**Deliver to:** Various  
**Requisition #:** Price Contract

**Commodity:** Copier rental  
**Contact:** Joan Breisler 296-9071  
**Bid due date at 2pm:** May 29  
**Agency:** Jobs & Training Department  
**Deliver to:** Crookston  
**Requisition #:** 21200-41106

**Commodity:** 486133 computer  
**Contact:** Teresa Ryan 296-7556  
**Bid due date at 2pm:** May 29  
**Agency:** Revenue Department  
**Deliver to:** St. Paul  
**Requisition #:** 67120-34468

## Department of Administration: Print Communications Division

Printing vendors for the following printing contracts must review contract specifications in printing buyers office at 117 University Avenue, Room 134-B, St. Paul, MN.

**Printing vendors NOTE: Other printing contracts can be found in the Materials Management Division listing above, and in the Professional, Technical & Consulting Contracts section immediately following this section.**

**Commodity:** Registration planning forms, 20M 3-part sets, 5"x8½" includes ½" stub left side, carbonless, camera ready, 2-sided  
**Contact:** Printing Buyer's Office  
**Bids are due:** May 23  
**Agency:** Anoka-Ramsey Community College  
**Deliver to:** Coon Rapids  
**Requisition #:** 16203

**Commodity:** Quarterly fee statement, 40M 3-part continuous sets, 9"x3¾" includes ½" right/left margin tear/stub, negs available, 1-sided, carbonless 3M type 200  
**Contact:** Printing Buyer's Office  
**Bids are due:** May 23  
**Agency:** Community College System  
**Deliver to:** St. Paul  
**Requisition #:** 16249

**Commodity:** Financial aid manual dividers, 280 sets of 4 separate banks of 4 for 4 sections, 8½"x11" type to set, reinforced holes, collated into sets  
**Contact:** Printing Buyer's Office  
**Bids are due:** May 23  
**Agency:** Higher Education Coordinating Board  
**Deliver to:** St. Paul  
**Requisition #:** 15964

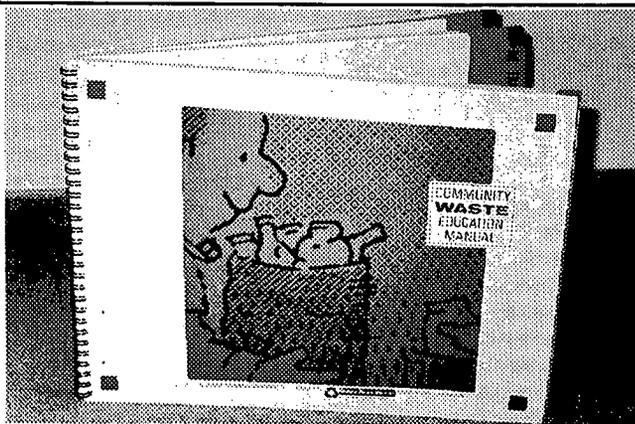
**Commodity:** Non-credit continuing education registration, 30M 3-part sets 5"x8¾" includes ¾" stub left side, carbonless, negs available, 1-sided  
**Contact:** Printing Buyer's Office  
**Bids are due:** May 23  
**Agency:** Community College System  
**Deliver to:** St. Paul  
**Requisition #:** 16248

**Commodity:** Student handbook 1991-92, 6M 36-page books, self-cover, 8½"x11" folded to 4¼"x11", camera ready, 2-sided, saddle stitch  
**Contact:** Printing Buyer's Office  
**Bids are due:** May 23  
**Agency:** North Hennepin Community College  
**Deliver to:** Brooklyn Park  
**Requisition #:** 16266

**Commodity:** Report of unclaimed property, 15M 3-part snap-out form, 8½"x14¾" includes stub on left, type to set, 1-sided  
**Contact:** Printing Buyer's Office  
**Bids are due:** May 23  
**Agency:** Commerce Department  
**Deliver to:** St. Paul  
**Requisition #:** 16230

**Commodity:** Bikeway map—northwest, 5M sheets 24"x36", 8-accordion folds + 2 parallel folds, 7-colors total, 4 process colors, 15 overlays on back, 16 overlays on front  
**Contact:** Printing Buyer's Office  
**Bids are due:** May 23  
**Agency:** Transportation Department  
**Deliver to:** St. Paul  
**Requisition #:** 16332

**Commodity:** 4-window envelopes, 5M 11½"x5" plus gummed flap, camera ready, 1-sided  
**Contact:** Printing Buyer's Office  
**Bids are due:** May 23  
**Agency:** Jobs & Training Department  
**Deliver to:** St. Paul  
**Requisition #:** 16364



*Community Waste Education Manual* available at Minnesota's Bookstore

### **Waste Education Campaigns**

The **COMMUNITY WASTE EDUCATION MANUAL** offers practical guidance to help communities develop waste education campaigns. Tremendous step-by-step guide to organizing volunteers, planning a budget, working with media and more. Includes camera-ready art and copy for media and publication needs. 82 pp. Produced by the Minnesota Office of Waste Management. Stock #5-7. \$22.95.

**TO ORDER:** Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6% sales tax. On all orders, add \$2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard and American Express orders accepted over phone and through mail. *Prices are subject to change.* FAX: (612) 296-2265.

Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

## Professional, Technical & Consulting Contracts

---

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal. Certain quasi-state agencies are exempted from some of the provisions of this statute.

### **Department of Agriculture**

#### **Request for Proposals to Design, Build and Install a Minnesota State Fair Exhibit**

**NOTICE IS HEREBY GIVEN** that proposals are being solicited to design, fabricate and install an exhibit for the Minnesota Department of Agriculture in the Agriculture/Horticulture Building on the Minnesota State Fairgrounds. This request for proposal does not obligate the state to complete the project, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

#### **Scope of Project**

The State Fair exhibit will be a two-dimensional photo panel exhibit—approximately 50-60 photos distributed across 8-9 panels. We are estimating 34 color and 16 black and white for the photographs. Some farming implements will be displayed with the photo panels through an eye-level frieze or an alternative solution.

The exhibit will show how the Department interacts with growers of wheat, barley, sugarbeets, potatoes, dry edible beans and sunflowers. The theme is "Travel the Red River Valley with the Minnesota Department of Agriculture."

The Department's space occupies one spine or corridor of the Agriculture/Horticulture Building (floor plan attached). The hall features a permanent stage, seating for several dozen persons and a radio broadcast booth. The space available for the exhibition measures 32' x 58'. The area is carpeted in a tweedy brown fabric.

### Goals and Objectives

To reuse 75% of last year's materials, to repaint some existing canvas to make sure all new work blends in with existing design (last year's design attached).

### Project Tasks

- Design, construct photo exhibit on the Red River Valley and the Minnesota Department of Agriculture.
- Repaint existing panels.
- Purchase all materials for exhibit.
- Design banners and signs.
- Subcontract to photo processing and mounting to match existing photos that will be used.
- Installation and take down exhibit.

Responder may propose additional tasks or activities if they will substantially improve the results of the project.

### Department Contacts

Prospective responders who have any questions regarding this request for proposal may call or write:

Margaret Savard, Senior Marketing Specialist  
Minnesota Department of Agriculture  
90 West Plato Boulevard  
St. Paul, MN 55107  
(612) 296-6962

Please note that other department personnel are not allowed to discuss the project with responders before the submittal of proposed deadline.

### Submission of Proposals

All proposals must be sent to and received by:

Margaret Savard, Senior Marketing Specialist  
Minnesota Department of Agriculture  
90 West Plato Boulevard  
St. Paul, MN 55107  
Not later than 3:00 p.m. on May 30, 1991

Late proposals will not be accepted. Submit one copy of proposal. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside. Each copy of the proposal must be signed, in ink, by an authorized member of the firm. Prices and terms of the proposal as stated must be valid for the length of the project.

### Project Costs

The department has estimated that the cost of this project should not exceed \$37,000.00.

### Project Completion Date

The project will be completed by August 20, 1991; with take down of project on September 3, 4 and 5, 1991.

### Proposal Contents

The following will be considered minimum contents of the proposal:

1. A restatement of the objectives, goals, and tasks to show or demonstrate the responder's view of the nature of the project.
2. Identify and describe the deliverables to be provided by the responder.
3. Outline the responder's background and experience with particular emphasis on local, state, and federal government work. Identify personnel to conduct the project and detail their training and work experience. No change in personnel assigned to the project will be permitted without the approval of the state Project Director/Manager.
4. Responder will prepare a detailed cost and work plan which will identify the major tasks to be accomplished and be used as a scheduling and managing tool, as well as the basis for invoicing.
5. Identify the level of the department's participation in the project as well as any other services to be provided by the department.
6. Will show ability to work with existing materials and art work.

## Professional, Technical & Consulting Contracts

---

---

### Evaluation Criteria

All proposals received by the deadline will be evaluated by representatives of the Department of Agriculture. In some instances, an interview will be part of the evaluation process. Factors upon which proposals will be judged, but are not limited, to, the following:

1. Expressed understanding of project objectives.
2. Project work plan.
3. Project cost detail.
4. Qualifications of both company and personnel. Experience of project personnel will be given greater weight than that of the firm.

Evaluation and selection will be completed by May 30, 1991.

### Worker's Compensation

The successful responder will be required to submit acceptable evidence of compliance with worker's compensation insurance coverage requirements prior to execution of the contract.

## Department of Corrections

### Health Services Unit

#### Notice of Request for Proposal for Dental Services at Oak Park Heights

**NOTICE IS HEREBY GIVEN** to request proposals for dental services to the inmates at the Minnesota Correctional Facility—Oak Park Heights, maximum 20 hours per week. This proposal should cover the period of July 1, 1991, through June 30, 1993.

For additional information, contact:

Dana P. Baumgartner, Health Care Administrator  
Department of Corrections  
300 Bigelow Building  
450 N. Syndicate Street  
St. Paul, Minnesota 55104  
Phone: (612) 642-0248

Proposals for the above contract must be submitted no later than June 3, 1991.

## Department of Corrections

### Minnesota Correctional Facility—Stillwater

#### Notice of Request for Proposals for Providing Food Services

**NOTICE IS HEREBY GIVEN** that the Minnesota Correctional Facility—Stillwater is requesting proposals for the professional management of our Food Service activity for the period of July 1, 1991 through June 30, 1993. The estimated cost of this project should not exceed \$610,000; the estimated cost for the period of July 1, 1991 to June 30, 1992 should not exceed \$305,000, the estimated cost for the period of July 1, 1992 to June 30, 1993 should not exceed \$305,000. These amounts are only estimates at this time. The actual contract amount will be dependent on the appropriated funds available at the time the contract is written. The proposal shall include all civilian personnel to operate the service. The proposals must be submitted by 4:00 p.m., May 31, 1991, to: John Twohig, Associate Warden of Administration. Please contact Mr. Twohig at (612) 779-2708, if interested.

## Department of Labor and Industry

### Workers' Compensation Division

#### Request for Proposals for Medical Consultant

The Minnesota Department of Labor and Industry is requesting proposals from eligible physicians who would be able to serve as medical consultant to the Rehabilitation and Medical Affairs Unit of the Workers' Compensation Division, the Rehabilitation Review

---

---

## Professional, Technical & Consulting Contracts

Panel, and the Medical Services Review Board, for the time period of July 1, 1991 through June 30, 1992. Qualifications for the position include: current active practice of medicine, preferably with active practice in the area of workers' compensation; recognized standing in the professional community and with relevant professional associations; experience in working with governmental agencies; familiarity with the state workers' compensation rehabilitation and medical programs; and interest in assisting the Department of Labor and Industry to develop and implement effective workers' compensation rehabilitation and medical services; the regulation of services currently provided; and the development of service guidelines and standards.

Minimum tasks include: assisting the Department and its boards in the development and administration of rules and regulations pertaining to workers' compensation medical and rehabilitation services, representing the Department to various professional, governmental, and public entities and providing general technical assistance to the Department.

Candidates must respond in the form of a proposal to enter into a contract as required by the Department of Labor and Industry. Maximum reimbursement for a total of 700-800 hours assistance will be \$5,600 which includes travel and expenses. The deadline for proposals, which must include current resume or curriculum vitae, is June 7, 1991.

Proposals should be sent to:

David Sherwood-Gabrielson, Director  
Rehabilitation and Medical Affairs  
Department of Labor and Industry  
443 Lafayette Road  
St. Paul, MN 55101

## Legislative Commission on Pensions and Retirement

### Request for Proposal for Provision of Actuarial Consultant Services

**NOTICE OF AVAILABILITY** of a contract for the provision of actuarial consultant services from July 1, 1991 to June 30, 1993, with two one year potential extensions, for the Minnesota Legislative Commission on Pensions and Retirement.

The Minnesota Legislative Commission on Pensions and Retirement seeks to retain an actuarial consulting firm to provide actuarial valuation and other services to the Minnesota Legislative Commission on Pensions and Retirement on behalf of the Minnesota Legislature and the State of Minnesota. The actuarial services to be provided will routinely involve 13 public pension plans of varying populations and include annual actuarial valuations, annual Minnesota Post Retirement Investment Fund participation determinations, periodic experience studies, various actuarial cost estimates for proposed benefit and actuarial assumption changes, periodic actuarial calculations preliminary to local police or salaried firefighters relief association consolidations, reviews of proposed actuarial assumption and optional annuity form changes, special actuarial and statistical studies, and provision of benefit plan design and other actuarial consulting services.

Proposals must be received by the Legislative Commission on Pensions and Retirement postmarked on or before May 30, 1991.

A copy of the request for proposal and notice of a potential bidders information meeting is available from

Lawrence A. Martin, Executive Director  
Legislative Commission on Pensions and Retirement  
55 State Office Building  
St. Paul, MN 55155  
(612) 296-2750

## Department of Public Safety

### Public Education & Media Relations

### Notice for Request for Proposals for Contract Services for Motorcycle Safety Education Campaign

The Minnesota Department of Public Safety wishes to contract for professional services needed to develop and execute a comprehensive, statewide public information and education campaign to promote motorcycle safety among both motorcyclists and motorists in order to reduce accidents, injuries and fatalities.

The Department has a mandate to promote the safety of motorcyclists on public roadways through the administration of the Motorcycle Safety Fund which is dedicated from state fees for two-wheeled vehicle license endorsements.

## Professional, Technical & Consulting Contracts

---

---

All work products shall be completed prior to the 1992 riding season. The contract will be in effect from July 1, 1991 through June 30, 1992.

### Proposal Content

Proposals must include a description of the responders background and experience related to the scope of the project, resumes and background information for staff who will work on the project, and any prior experience working with either State or Federal projects. Proposals must be submitted in the form of a detailed plan which identifies major tasks to be accomplished, timelines and costs for each individual work product.

### Project Cost

The total cost of this project should not exceed \$100,000.

Detailed information for the proposal may be obtained by contacting the Public Education and Media Relations Office. Proposals must be received in the Office not later than 4:30 p.m. Friday, June 14.

Direct proposals and inquiries to:

Gail Gendler  
Public Education and Media Relations  
316 Transportation Building  
395 John Ireland Boulevard  
St. Paul, Minnesota 55155

## Department of Public Service

### Request for Proposals to Determine the Impact of an Independent Spent Fuel Storage Installation

#### I. General Instructions

##### A. Background

Northern States Power, Electric Utility (NSP), is applying for a Certificate of Need to construct an Independent Spent Fuel Storage Installation (ISFSI). NSP's current spent fuel storage capacity at its Prairie Island Nuclear Power generating plant will be exhausted by 1994. A Certificate of Need must be issued by the Minnesota Public Utilities Commission (PUC) before a utility can construct a nuclear waste storage or disposal facility. The Minnesota Department of Public Service (DPS or Department) is an intervenor representing the public interest in the Certificate of Need petition. The PUC will evaluate the need for the facility using criteria delineated by statute. The criteria includes the relationship of the proposed facility to overall state energy needs; socially beneficial uses of the facility, including its ability to protect or enhance environmental quality; and possible alternatives for satisfying the energy demand including energy conservation improvements that can replace part or all of the energy produced by the generating plant and can compete with it economically. A contested-case hearing will be conducted by the state's Office of Administrative Hearings to develop a complete evidentiary record on which the PUC will base its decision to grant or deny NSP's Certificate of Need petition.

##### B. Objectives

The purpose of this Request for Proposals is to secure a contractor with the unique expertise to determine the ultimate economic impacts of adverse health conditions both under normal operating conditions and accidental release situations, as they relate to the overall cost and effectiveness of the proposed ISFSI. The contractor must be qualified to examine the entire spectrum of health and safety considerations of the proposed ISFSI, as well as specific alternative proposals set forth by the various intervenors in the certificate of need process. The contractor also must have considerable experience in dealing with federal licensure, state certificate of need procedures, and dry cask storage technology as proposed at Prairie Island. The contractor will be required to defend the work as an expert witness for the Department.

##### C. Bidding Information

Responses to this request are due by 4:30 p.m., May 29, 1991. All responses and questions regarding this Request for Proposals should be addressed to:

Minnesota Department of Public Service  
790 American Center Building  
150 East Kellogg Boulevard  
St. Paul, Minnesota 55101

Attn: William Grant, Supervisor  
Utility Conservation and Planning  
Telephone Number: (612) 297-1773

---

---

## Professional, Technical & Consulting Contracts

It is anticipated that the Department will enter into a contract with the successful proposer. This request does not obligate the Department to complete the project described herein and the Department reserves the right to cancel this solicitation if it is considered in the best interest of the Department.

### II. Statement of Work

#### A. Contractor's Duties

The Contractor shall complete the following tasks.

1. Develop research agenda; at a minimum, research should include analyses of the following as they specifically affect the health and safety concerns of the ISFSI:
  - a. Evaluate the following generic and Prairie Island-specific data:
    - radiological impacts from dry cask storage facilities;
    - risk assessment of potential hazards of dry cask storage;
    - contingency valuation of economic impacts of potential accidents;
    - cost-effectiveness and reliability data on the ISFSI as they relate to the health and safety concerns;
  - b. Evaluate the total internal and external economic impacts of the ISFSI given the above risk and contingency valuations;
  - c. Evaluate the specific alternative proposals set forth by the various intervenors using the above evaluation measures;
  - d. Estimate the extent to which these health and safety concerns jeopardize the economic feasibility of the ISFSI.
2. Revise research agenda after DPS review.
3. Submit final study report; report should include complete description of data, assumptions, and model used for the evaluations.
4. Prepare and deliver written and oral formal testimony and cooperate in litigation preparation with staff and counsel for the Department.

#### B. Assistance Available from State

1. Access to any public information held by the Department which the contractor determines to be useful in the completion of the project.
2. Access to NSP information through formal discovery requests which the contractor determines to be useful in the completion of the project.
3. Access to any Department employee with whom the contractor needs to confer.
4. Access to a list of intervenors and other parties involved in the certificate of need process.

#### C. Deliverable Items

1. A written timetable for accomplishing the tasks outlined above.
2. Weekly oral status reports which will include the following:
  - Progress of major project components;
  - Description of any problems encountered; and,
  - Progress of work plan.
3. A final report
4. Written and/or oral direct, rebuttal, and cross examination testimony.

#### D. Schedule

1. The final report must be completed by June 5, 1991.
  2. Written testimony must be completed by June 12, 1991.
  3. Availability for oral testimony (cross examination) between July 22, and August 2, 1991.
- The schedule is subject to delays pending developments in the administrative hearing process.

### III. Project Costs and Contractor Remuneration

#### A. Funds Available

An amount not to exceed \$15,000 is available for this contract. This amount includes travel costs, if determined to be necessary.

## Professional, Technical & Consulting Contracts

---

---

### B. Reimbursement

The contractor will be reimbursed on a monthly basis for the total number of hours worked at the rate specified in the contract. The monthly invoice shall include the following information:

1. Inclusive dates for which reimbursement is sought;
2. Listing of hours worked with a cross reference to the tasks worked upon; and,
3. Certification that the invoice information is valid. Twenty-five percent of the total contract amount will be withheld and paid after DPS review and final acceptance of all deliverables.

### IV. Proposal Contents and Evaluation

The following will be considered to be the minimum contents of proposals submitted in response to this Request for Proposals.

1. A restatement of the project description given in the Request for Proposals to indicate the proposer's understanding of the project.
2. A statement of how the proposer intends to proceed with each of the tasks outlined above.
3. A preliminary budget showing how the contract funds will be spent, including hourly rates of personnel assigned.
4. A list of key staff (including biographies and qualifications) who will be assigned to work on the project.
5. A description of the model that will be used to make the necessary evaluations.
6. A review of any recent related work conducted by the proposer and key staff people, including experience in dealing with federal licensure and state certificate of need procedures and dry cask storage technology.
7. The responder may propose additional tasks or activities if these tasks or activities will substantially improve the results of the project.

### V. Worker's Compensation

Prior to the execution of the contract, the successful proposer will be required to submit acceptable evidence of compliance with the Worker's Compensation Insurance Coverage requirements.

## Department of Transportation

### Program Management Division

### Office of Aeronautics

### Notice of Availability of Maintenance Contracts for Navigation Systems

The State of Minnesota, Department of Transportation, Office of Aeronautics will award 12 to 15 maintenance contracts for VOR/DME's (bearing indication radio beacon/distance measuring equipment) and NDB's (non-directional beacons) located at airports throughout the State. FAA Certification on at least one of the following is required: The Wilcox 476 VOR, the Cardion 9467 VOR, the Aerocom 5351A DME, the Aerocom 5321 NDB, or the Aerocom 5401B NDB. Contract award will be made based on the contractor's experience, proximity to facilities, and hourly rate.

The Department estimates that the cost of this project need not approach but shall not exceed \$780,000 for the biennium and contract period, July 1, 1991 to June 30, 1993.

For further information contact:

Herman Hamre  
Office of Aeronautics  
Minnesota Department of Transportation  
Room 417 Transportation Building  
395 John Ireland Boulevard  
Saint Paul, Minnesota 55155

Proposals must be received at the above address no later than 2:00 p.m., June 7, 1991.

## State Grants

---

---

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grant funds available through any agency or branch of state government. Although some grant programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself.

Agencies are encouraged to publish grant notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

---

## Department of Jobs & Training

### Division of Rehabilitation Services

#### Notice of Availability of Funds for Extended Employment Programs

Rehabilitation Facilities with certified Extended Employment Program(s) may apply for funds granted by the Division of Rehabilitation Services in accordance with *Minnesota Rules* 3300.1950 3300.3050. Application forms for funding Extended Employment Programs (Supported Employment, Long-Term Employment, Work Activity and Work Component) are available from the Department of Jobs and Training, Division of Rehabilitation Services, Office of Rehabilitation Resources, 390 North Robert Street, Fifth Floor, St. Paul, MN 55101. Completed applications must be postmarked July 26, 1991, or delivered to the above address by 4:30 p.m. on that date.

Applications are required for funding Extended Employment programs currently receiving State Extended Employment funds from the Division of Rehabilitation Services, and are also required for new or expanded programs.

Any city, town, county, non-profit organization, or any combination of these which operates or proposes to operate a public or non-profit Extended Employment program may apply for funding.

For additional information contact the Office of the Director of Rehabilitation Resources, (612) 296-5628.

## Announcements

---

---

**Environmental Quality Board (EQB):** Comments are due June 12 on the EAWs (environmental assessment worksheets) on the following projects at their listed regional governing unit: **CSAH 52 Construction/Reconstruction**, City of Blaine (612) 784-6700; **Harbor Dredging—Afton Marina and Yacht Club**, City of Afton, (612) 436-5090; **Brownsdale Wastewater Stabilization Ponds**, MPCA (Minn. Pollution Control Agency) (612) 296-7432; **Anoka Wastewater Treatment Plant Phase-out**, MPCA (612) 296-7275. • Petitions for environmental review have been received for the following projects: **Hartley Park Development**, City of Duluth, (218) 723-3342; **Tamarack on Sylvan Lake**, Cass County (218) 547-3300; **Hietala Gravel Mine**, Itasca County (218) 327-2857; **St. Alban's Bay Dredging Project**, Minnehaha Creek Watershed District, Board of Managers, P.O. Box 378, Wayzata, MN 55391; **CleanSoils Inc.-So. St. Paul**, MPCA (612) 296-7283. • Two public informational meetings are scheduled for the **Northeast Corridor Light Rail Transit System**. Wed. 5 June at 7:00 p.m. in the Logan Community Center, Monroe and Broadway Street, Minneapolis, and on Thurs. 13 June at 7:00 p.m. in the Fridley City Hall, 6431 University Ave. NE, Fridley. The comment period remains open until July 8, 1991 for the DEIS (draft environmental impact statement), with comments to be directed to Tim Yantos, Anoka County Regional Railroad Authority (612) 421-4760 or Kenneth Stevens, Hennepin County Regional Railroad Authority (612) 348-9260.

**State Park Safaris:** Visitors to Minnesota State Parks can choose from more than 50 safaris on nearly 250 dates. On their first safari, participants will receive a safari card. After each safari, the park naturalist will sign the card. After five safaris in three different parks, participants will receive the 1991 Wilderness Safari poster (while supplies last). There is no charge to join the Safari Series, which was underwritten by Minnegasco Corp. A vehicle permit is required to enter any Minnesota state park. To obtain the complete program schedule, pick up the Centennial Times newspaper at any state park, or call DNR's Information Center at (612) 296-6157 in the Twin Cities area, or call toll free in Minnesota 1-800-652-9747 (ask for the DNR). The DNR's Telecommunications Device for the Deaf number is (612) 296-5484.



## Armchair Adventures in Minnesota

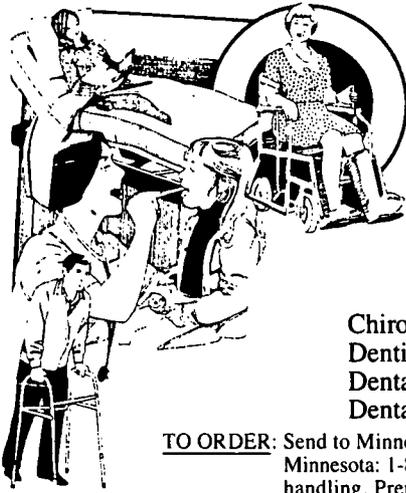
**Our Minnesota.** More than 100 full-color photos by Les and Craig Blacklock portray Minnesota in her seasonal beauty, with text from the personal journal of Fran Blacklock's thirty years of traveling the state. Stock #9-23. \$13.95 plus tax.

**Minnesota Geographic Names.** Place names by the thousand, with even more intriguing historical tidbits, in this over 800-page book. A must for the Minnesota-lover! Stock #17-13, \$12.95 + tax.

**Historic Sites and Place Names of Minnesota's North Shore.** John Fritzen, long time employee of the Minnesota DNR draws upon his almost 40 years as a forester, mostly spent on Minnesota's colorful and legendary North Shore, to regale readers with tales of timbermen, pioneer settlers, miners, commercial fishermen and others. Black and white photos. Stock No. 9-11. \$17.00.

**TO ORDER:** Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6% sales tax. On all orders, add \$2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard and American Express orders accepted over phone and through mail. **Prices are subject to change.** FAX: (612) 296-2265.

Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.



## Reach Minnesota's health care field decision makers

### Health Care Facilities Directory 1989

A list of hospitals and related institutions licensed and/or certified to deliver various levels of care. The list is alphabetical by county, town and facility name. Stock No. 1-89. \$17.95.

### Mailing Lists of Health Care Professionals Licensed by the State of Minnesota Now Available

Call 297-2552 for more information or write to the address below for your free mailing list service packet.

Chiropractors  
Dentists  
Dental Assistants  
Dental Hygienists

Medical Corporations (Clinics)  
Registered Nurses  
Licensed Practical Nurses  
Pharmacies

Pharmacists  
Physical Therapists  
Physicians  
Veterinarians

**TO ORDER:** Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6% sales tax. On all orders, add \$2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard and American Express orders accepted over phone and through mail. **Prices are subject to change.** FAX: (612) 296-2265.

Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.



## What's your school system like?

**School District Profile 1988-89.** Comparative enrollment, staffing and financial data on Minnesota's school districts. Includes an evaluation of the statistical content with commentary on trends and patterns. 56 pp. Stock #5-3. \$5.00.

**The School Book 1990-91.** Before you enroll your child in school, read this comprehensive guide to elementary schools in the Twin Cities. Lists school addresses/phone, staffing information, MTC bus connections, class size, student/teacher ratio, grading and curriculum. From the Citizens League. 554 pp. Stock #40-9. \$12.95.

**Education Directory 1990-91.** Complete list of schools, and school districts, their principals and superintendents. Also includes non-public schools, regional public library systems, state agencies, boards, and councils. 170 pp. Stock #1-93. \$9.95.

**TO ORDER:** Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6% sales tax. On all orders, add \$2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard and American Express orders accepted over phone and through mail. **Prices are subject to change.** FAX: (612) 296-2265.

Publication editors: As a public service please reprint this ad in your publications. Thank you.

## Minnesota's North Shore

**Historic Sites and Place Names of Minnesota North Shore.** Stories recounted by a retired DNR Forester about the North Shore's timbermen, pioneer settlers, commercial fishermen, and others who knew the area first hand. Stock #9-11. 35pp. \$3.50 + tax.

**Up North.** A memorable collection of essays and stories that capture the mystic moods, seasonal subtleties and colorful characters that fill the landscape up north. Stock #19-16. \$16.95 + tax.

**A Family Guide to Minnesota's North Shore.** The 150 miles from Duluth to the Canadian border offer travelers wilderness experiences, places of historic significance, and visions of astonishing beauty. Stock #19-84. \$3.95 + tax.

**Boundary Waters.** Almost 100 pages of beautiful color photographs of Minnesota's canoe country, by Jerry Stebbins with rich text by Greg Breining. Stock #19-69. \$24.99 + tax.

**A Paddler's Guide to the Boundary Waters Canoe Area,** 78 pages of detailed maps and descriptions of 31 wilderness canoe routes in the Superior National Forest of Northern Minnesota. Includes what to bring along on canoe trips, regulations, canoe tips and detailed information for self-guided tours. Stock #19-17. \$4.95.

**TO ORDER:** Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6% sales tax. On all orders, add \$2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard and American Express orders accepted over phone and through mail. **Prices are subject to change.** FAX: (612) 296-2265.



Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

## River Stories That Warm Your Heart

**A Stretch on the River.** 1950 novel about the son of a wealthy family who goes to work on a Mississippi River towboat to avoid being drafted. With power, gusto and humor, author Richard Bissel creates an energetic, rowdy, and delightful account of a typical trip up the river, accurately re-creating a colorful era of towboating on America's major waterway. Stock #17-6, \$8.95 plus tax.

**High Water.** During the worst flood on the Mississippi River anyone can remember, the mate of a towboat has his hands full on a perilous trip, working with an unhappy crew, an angry captain, and too many barges to push against too much river. A 1954 Richard Bissel novel reveals the drama, humor and charm of working on the river. Stock #17-8. \$8.95 plus tax.

**Old Times on the Mississippi River.** George Merrick's lively, loving, and humorous reminiscences of his steamboat life from the bottom up, as a pantry boy, apprentice engineer, second clerk, and "cub" pilot. First published in 1909, he describes steamboat operations—from machinery and personnel to the economics of the business—with vivid examples and rich detail. 323 pp. includes appendices and index. Stock #17-45. \$8.95 plus tax.

**Canoeing with the Cree.** Minnesota's distinguished newsman, Eric Sevareid, wrote his first book in 1935 about a canoe journey he and a classmate made to Hudson Bay. The classic recounts their trip on the Mississippi, Minnesota and Red River of the North Rivers into Lake Winnipeg, and then God's River to Hudson Bay. 209 pp. includes index, maps and photos. Stock #17-14. \$6.95 plus tax.

**TO ORDER:** Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6% sales tax. On all orders, add \$2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard and American Express orders accepted over phone and through mail. **Prices are subject to change.** FAX: (612) 296-2265.



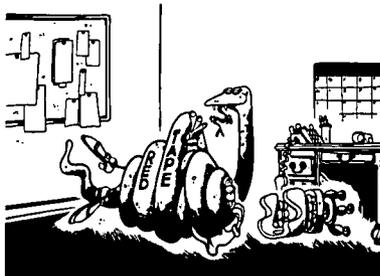
Publication editors: As a public service, please reprint this ad in your publication, either as is, reduced, or redesigned to suit your format.

## Now 1/3 Off—Save \$5

Relax. Unwind. Cut your frustrations with the *Minnesota Guidebook to State Agency Services 1987-1990*.

Packed with information that cuts red tape and gets results fast, the *Guidebook* tells you how to put your tax dollars TO WORK FOR YOU! It tells how to obtain grants, scholarships, assistance, information services, tax help and forms, maps, reports, guides, newsletters and publications.

You'll gain access to state agencies like never before and have AT YOUR FINGERTIPS emergency phone numbers, crisis and hot lines. This *Guidebook* will save you valuable time and money by



speedily getting you through the fears of license requirements, forms, fees, application and complaint filing, and even tells the length of waiting time for obtaining services.

Need to know about license requirements for your profession and for

recreation? IT'S A BREEZE with the *Guidebook* on your desk. It's a treasure of information on state parks, campgrounds, state forests and wildlife management areas, historic sites, museums, art galleries, festivals, libraries, education resources, agency descriptions with names and phone numbers of real people, statistical data and historical profiles.

It's "MINNESOTA'S OWNER'S MANUAL"—the handiest, fact-filled resource that answers thousands of your questions about Minnesota and how it works. Order today before they're gone. Stop struggling with bureaucratic red tape! Stock #1-4, 640 pages. Now \$9.95 + 60¢ tax. FAX: (612) 296-2265.

Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

~~It's  
Never  
O.K.~~

## Social workers', counselors' and therapists' guides and directories

**It's Never OK.** A handbook for professionals on sexual exploitation by counselors and therapists. It covers the therapeutic and prevention issues and employer responsibilities, plus recommended curriculum for training institutions for counselors and therapists. Stock No. 14-16. \$19.95 + tax.

**Chemical Dependency Programs Directory 1989.** Features comprehensive listings for programs ranging from prevention/intervention services to a wide range of treatment services. Each type of program includes a listing of facilities and description of programs. Stock No. 1-12, \$15.00 + tax.

**Process parenting—Breaking the Addictive Cycle.** This training manual provides parent education and treatment techniques for professionals working with recovering chemically dependent parents or dysfunctional families. Stock No. 5-4, \$15.00 + tax.

**TO ORDER:** Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6% sales tax. On all orders, add \$2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard and American Express orders accepted over phone and through mail. *Prices are subject to change.* FAX: (612) 296-2265.

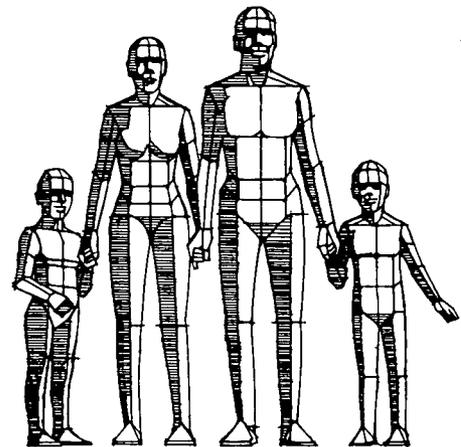
Publication editors: As a public service please reprint this ad in your publications. Thank you.

## Adoption and Process Parenting

**Adoption Resource Directory.** This comprehensive resource directory to adoption services and laws will be your best friend if you are looking into adoption. Over 300-pages of research by the Minnesota Dept. of Human Services Adoption Unit make this a valuable tool that includes federal and state adoption laws and policies, information on Minnesota's adoption program and child placement resources. It goes into detail listing support groups, advocacy groups; health, education, social service and vocational resources; and a whole range of assorted community and state resources, and legal services including IRS information. Stock #1-16, \$12.45 + 75¢ tax.

**Process Parenting: Breaking the Addictive Cycle.** This is a curriculum and training manual designed to help chemical dependency treatment counselors to incorporate parent education into their on-going programs. It focuses on positive parent-child interactions and parenting strengths to assist chemically dependent persons develop a more positive view of self, feelings of greater control or influence over situations, understanding of self-defeating behaviors, and increased responsibility within one's social/community situation. 163 pages plus appendices. Stock #5-4, \$15.00 + 90¢ tax.

**TO ORDER:** Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6% sales tax. On all orders, add \$2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard and American Express orders accepted over phone and through mail. *Prices are subject to change.* FAX: (612) 296-2265.



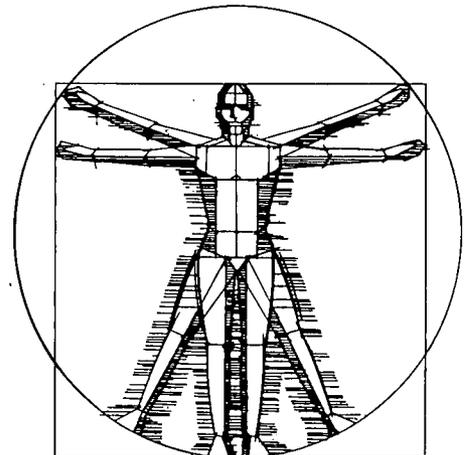
Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

## A Helping Hand for the Chemically Dependent

### Directory of Chemical Dependency Programs in Minnesota.

This 250-page directory lists prevention and intervention programs including county social service agencies, mental health centers, other information and referral programs, self-help programs and employee assistance programs. It also lists DWI (Driving While Intoxicated) clinics and detoxification centers. Outlining Minnesota's continuum of care, the Minn. Dept. of Human Services Directory lists treatment services under three headings: **Primary Residential Programs**—freestanding facilities, hospital-based facilities and state regional treatment centers; **Intermediate/Extended Residential Programs**—halfway houses, extended care facilities, and board and lodging facilities; **Non-Residential Programs**—freestanding facilities and hospital-based facilities. Stock #1-12. \$15.00 + 90¢ tax.

**TO ORDER:** Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6% sales tax. On all orders, add \$2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard and American Express orders accepted over phone and through mail. *Prices are subject to change.* FAX: (612) 296-2265.



Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

# Minnesota's Bookstore

---

---

## Publications, Services, Subscriptions

**Order Form on Back—For Information, Call 297-3000**

### NEW PUBLICATIONS:

**1990 Minnesota Session Laws.** Two volume set includes laws passed during the 1990 session and the 1989 Special Session. Stock #18-6, \$40.00 + \$2.40 tax.

**Community Waste Education Manual.** Practical guide helps communities develop waste education campaigns with organizing volunteers, planning a budget, working with media and more. Includes camera-ready art and copy for media and publication needs. Stock #5-7, \$22.95 + \$1.38 tax.

**School District Profile 1988-89.** Comparative enrollment, staffing and financial data on Minnesota's school districts, evaluation of the statistical content with commentary on trends and patterns. Stock #5-3, \$5.00 + 30¢ tax.

**The School Book 1990-91.** Comprehensive guide to elementary schools in the Twin Cities: school addresses/phone, staffing information, and MTC bus connections at schools. Lists class size, student/teacher ratio, grading and curriculum. 554 pages. Stock #40-9, \$12.95 + 78¢ tax.

**Chemical Dependency Programs Directory 1989.** Features comprehensive listings for programs ranging from Prevention/Intervention Services to a wide range of Treatment Services. Each type of program includes an alphabetical listing of facilities and brief narrative description of programming provided. Stock No. 1-12, \$15.00 plus tax.

**Process Parenting—Breaking the Addictive Cycle.** A training manual that provides parent education and treatment techniques for professionals who work with recovering chemically dependent parents or dysfunctional families. Stock No. 5-4, \$15.00 plus tax.

**It's Never Okay: A Handbook for Professionals on Sexual Exploitation by Counselors and Therapists.** Therapeutic and prevention issues and employer responsibilities are discussed in this task force report, as well as recommended curriculum for training institutions for counselors and therapists. Stock No. 14-16, \$19.95

### OTHER PUBLICATIONS

**Our Minnesota.** More than 100 full-color photos by Les and Craig Blacklock portray Minnesota in her seasonal beauty, with text from the personal journal of Fran Blacklock's thirty years of traveling the state. Stock #9-23. \$13.95 plus tax.

**Historic Sites and Place Names of Minnesota's North Shore.** John Fritzen, long time employee of the Minnesota DNR draws upon his almost 40 years as a forester, mostly spent on Minnesota's colorful and legendary North Shore, to regale readers with tales of timbermen, pioneer settlers, miners, commercial fishermen and others. Black and white photos. Stock #9-11. \$3.50 plus tax.

**Landscaping for Wildlife.** Attract songbirds, deer, butterflies, hummingbirds, pheasants, and other wildlife to your property by using the tips in this 144-page, 4-color book. Stock #9-15, \$8.95 plus tax.

**Minnesota Manufacturer's Directory, 1991.** More than 7,000 entries listing name, address, phone, staff size, sales volume, market area, year of establishment, type of firm, CEO, sales or marketing and purchase managers, and four manufactured products. Stock #40-2. \$85.00.

### SUBSCRIPTIONS:

**State Register.** Minnesota's official weekly publication for agency rules and notices, executive orders of the Governor, state contracts, Supreme Court Calendar, Supreme Court and Tax Court Decisions. Annual subscription: Monday edition only \$140; Monday and Thursday's State Contract Supplement \$195; 13-week trial (includes both Monday and Thursday editions) \$60.00.

**Workers Compensation Decisions.** Volume 43. Selected landmark decisions of the Worker's Compensation Court of Appeals. Annual subscription. \$130.00.

### SERVICES:

**Mailing Lists.** Lists of Minnesota licensed professionals and permit holders. Write or call (612) 297-2552 for a free mailing list catalog which contains available lists, selections, formats, pricing and ordering information.

**American Flag.** Perfect for home or office. 3' x 5' with embroidered stars. Heavy nylon bunting. Code No. 6-1. \$21.00, plus tax.

**1991 Lake Map Index.** Listing over 4,000 lake maps. Free.

**State Register Binder.** Durable 3½ inches, forest green binders imprinted with the *State Register* logo. \$6.50 plus 39¢ tax.

